San Francisco Planning Department

SAN FRANCISCO CRUISE TERMINAL MIXED-USE PROJECT AND BRANNAN STREET WHARF PROJECT

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Draft Supplemental Environmental Impact Report

2000.1229E

Waterfront Land Use Plan FEIR Certification Date: January 9, 1997
Draft SEIR Publication Date: November 17, 2001
Draft SEIR Public Hearing Date: December 20, 2001
Draft SEIR Public Comment Period: November 17, 2001 to January 2, 2002

State Clearinghouse No.: 1994123007

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DATE: November 17, 2001

TO: Distribution List for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project Draft SEIR

FROM: Paul Maltzer, Environmental Review Officer

SUBJECT: Request for the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project (Case No. 00.1229E)

This is the Draft of the Supplemental Environmental Impact Report (SEIR) for two separate but related projects, the San Francisco Cruise Terminal Mixed-Use Project and the Brannan Street Wharf Project. A public hearing will be held on the adequacy and accuracy of this document. After the public hearing, our office will prepare and publish a document titled "Summary of Comments and Responses" which will contain a summary of all relevant comments on this Draft SEIR and our responses to those comments; it may also specify changes to this Draft SEIR. Public agencies and members of the public who testify at the hearing on the Draft SEIR will automatically receive a copy of the Comments and Responses document, along with notice of the date reserved for certification; others may receive such copies and notice on request or by visiting our office. This Draft SEIR together with the Summary of Comments and Responses document will be considered by the Planning Commission in an advertised public meeting and certified as a Final SEIR if deemed adequate.

After certification, we will modify the Draft SEIR as specified by the Comments and Responses document and print both documents in a single publication called the Final Supplemental Environmental Impact Report. The Final SEIR will add no new information to the combination of the two documents except to reproduce the certification resolution. It will simply provide the information in one rather than two documents. Therefore, if you receive a copy of the Comments and Responses document in addition to this copy of the Draft SEIR, you will technically have a copy of the Final SEIR.

We are aware that many people who receive the Draft SEIR and Summary of Comments and Responses have no interest in receiving virtually the same information after the EIR has been certified. To avoid expending money and paper needlessly, we would like to send copies of the Final SEIR to private individuals only if they request them. If you would like a copy of the Final SEIR, therefore, please fill out and mail the postcard provided inside the back cover to the Major Environmental Analysis Office of the Planning Department within two weeks after certification of the SEIR. Any private party not requesting a Final EIR by that time will not be mailed a copy.

Thank you for your interest in this project.

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San Francisco Planning Department

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INTRODUCTION

On January 9, 1997, the San Francisco Planning Commission certified the Environmental Impact Report for the Port of San Francisco Waterfront Land Use Plan (Case No. 94.155E; State Clearinghouse No. 94123007). This document set out the environmental effects of the Port's plan for governing future uses and development within the Port's approximately 7.5 miles of jurisdiction, covering the San Francisco waterfront generally from the Hyde Street Pier to India Basin. That Final EIR is referred to herein as the "Waterfront Plan EIR."

Subsequent to certification of the Waterfront Plan EIR, the San Francisco Port Commission adopted the Waterfront Land Use Plan ("the Waterfront Plan"), which is intended to guide future development of Port properties with a mixture of maritime and commercial uses. The Plan also specifies acceptable and unacceptable uses and satisfies the requirements of Proposition H that passed in November 1990. The Waterfront Plan identified a number of "mixed-use opportunity areas" that were anticipated to be the location of future developments including maritime uses, open space, public access, and certain commercial and recreational uses, potentially in proximity to other nearby uses on non-Port property. One of these opportunity areas includes Pier 30-32, Seawall Lot 330, the former Pier 34, and Pier 36.

On May 25, 1999, the Port Commission approved Resolution No. 99-36, authorizing Port staff to issue a Request for Qualifications and Proposals (RFQ/P) for the "Bryant Street Pier Project." Consistent with the Waterfront Plan, Port staff then convened a 20-member Advisory Group made up of industry experts and community representatives that developed goals and objectives for the RFQ/P. The Port's primary objective for the project was determined to be the "development of a high quality cruise terminal, as part of a mixed use project which provides a focal point on the waterfront, mid-way between Downtown and the new Ballpark. The Port envisions a modern cruise terminal with active, public-oriented uses providing a premier gathering place for the Bay Area, the City and the neighborhood."

On June 4, 1999, the Port issued an RFQ/P for the "Bryant Street Pier Project and James R. Herman International Cruise Terminal." The RFQ/P called for a developer to "propose, design, and develop a first class international cruise terminal and mixed use project on San Francisco's largest and most attractive development site." On July 26, 1999, the Port received qualifications from four respondents. On September 3, 1999, Port staff issued a Request for Proposals (RFP) to three of the development teams, and on October 28, 1999, two development teams, LCOR San Francisco LLC and San Francisco Cruise Terminal LLC (SFCT), submitted proposals.

Subsequent to a selection process that included public meetings and a staff evaluation process, Resolution 00-03 was passed by the San Francisco Port Commission authorizing the Port's Executive Director to enter exclusive negotiations with SFCT for development of the San Francisco Cruise

Terminal Mixed-Use project. SFCT is a limited liability company whose members include Lend Lease Development (US) Inc., PSA, (USA) Inc., Chinese Maritime Transport Ltd., and Whitney Cressman LLC. The San Francisco Cruise Terminal Mixed-Use project is co-sponsored by the Port of San Francisco and SFCT.

On July 20, 2000, the San Francisco Bay Conservation and Development Commission (BCDC) adopted the amended *San Francisco Bay Plan* and *San Francisco Waterfront Special Area Plan* (SAP) to establish new goals and merits to its policies for development on existing piers along San Francisco's northern waterfront (from Pier 35 to China Basin) and in which creation of the Brannan Street Wharf, "a major waterfront park in the area of Piers 34 and 36. . .," was identified as a policy for both Public Plazas and Open Water Basins after removal of Piers 34 and 36. As part of its "Plan Implementation Requirements," the SAP states that "[u]pon Port issuance of a certificate of occupancy for the major reuse of Piers 30-32, or a comparable major development, . . .carry out the public benefits projects below: i) Construct Phase I, the northern portion of the Brannan Street Wharf (in the area of Pier 34 and north) within five years; ii) Remove Pier 36 within 15 years; and iii) Complete the Brannan Street Wharf within 15 years if necessary grants or other funding are available, or within 20 years if necessary grants and funding are not available." Conforming amendments to the Waterfront Plan were adopted by the Port Commission in July, 2000. California State Assembly Bill 1389, signed by Governor Gray Davis in October, 2001 further defined and accelerated the timing requirements for completion of the Brannan Street Wharf project. As such, approval of the development on Pier 30-32 would trigger the requirement for the Port's creation of the Brannan Street Wharf. The proposed Brannan Street Wharf project is sponsored by the Port of San Francisco.

Since certification of the Waterfront Plan EIR, there have been changes in the regulatory environment with respect to air quality, in that the San Francisco Bay Area Air Basin first achieved, and then lost, "attainment" status for the national ozone standard, and achieved attainment status for the state and national carbon monoxide standards; the Bay Area remains in "non-attainment" status for the state ozone and PM-10 standards, meaning that the Bay Area violates these state standards with some regularity. In addition, in 1998, the California Air Resources Board designated particulate emissions from diesel-fueled engines as a toxic air contaminant, resulting in increased concern regarding diesel emissions.

Because of changes in the setting and because specific development programs for the project site have subsequently been developed, this Supplemental EIR (SEIR) has been prepared to analyze potential visual quality, transportation and parking, hydrology and water quality, air quality, hazardous materials, wind, and shadow effects that could result from development of the San Francisco Cruise Terminal Mixed-Use project and the Brannan Street Wharf project. A discussion of land use, plans, and policies and growth inducement have also been included for informational purposes. Effects for topics other than those listed above would not be expected to differ substantively from those analyzed in the Waterfront Plan EIR, and no new analysis is required. However, for informational purposes, this SEIR includes a brief discussion of other environmental issues comprehensively addressed by the Waterfront Plan EIR.

including historic architectural resources, archaeological resources, noise, energy, biological resources, geology and seismicity, and public services and utilities.

This SEIR describes and analyzes two separate but related projects, the San Francisco Cruise Terminal Mixed-Use project and the Brannan Street Wharf project. These projects are considered separate because they would be implemented by different project sponsors and on related, but different timelines. The San Francisco Cruise Terminal Mixed-Use project is referred to throughout the document as the "Cruise Terminal project" and the Brannan Street Wharf project is referred to as the "Wharf project." See Figure 2 for a combined site plan and Table 1 for a summary of project components.

CHAPTER I
SUMMARY

A. PROJECT DESCRIPTION (p. 1)

CRUISE TERMINAL PROJECT

The sponsor of the Cruise Terminal project proposes a development program with two principal components: a mixed-use/cruise terminal component proposed for Pier 30-32 and a residential component proposed for Seawall Lot 330. The sites are situated just south of the Bay Bridge along The Embarcadero between Bryant and Brannan Streets.

The mixed-use/cruise terminal program would involve a partial reconfiguration and structural upgrade of the Pier 30-32 structure, upon which a two-level, 100,000 gross square-foot (gsf) structure that would serve as San Francisco's main cruise ship terminal would be constructed. Approximately 20,000-50,000 gsf of the terminal's space would be available to the public for civic and special events during the off-season, when ships are not in port. The terminal would be served by an 850-foot long berth along the pier's northern edge and a 1,000-foot long berth along the pier's eastern edge. With construction of the project, the cruise vessel calls at the Port of San Francisco (primarily at Pier 35) would shift to the project site and increase to about 69 calls in 2004 and to as many as 107 calls by 2020. The terminal would be located at the northeastern corner of the pier and would range in height from 46 to 88 feet.

A total of 370,000 gsf (approximately 325,000 net square feet) of office space for maritime and other private business would be provided on the second and third levels of the seven buildings (each two to three-stories high) on the pier, including space developed in conjunction with and as part of the terminal. A total of 220,000 gsf of retail/entertainment space, including neighborhood-serving retail, restaurants, a six-screen cinema, and a variety of other retail and entertainment uses would occupy the first levels of the pier buildings other than the terminal. An open space program, including plazas, terraces, aprons, and a south-facing lagoon would serve the entire pier.

The pier would be served by a primary vehicular entry/exit at the intersection of The Embarcadero and Bryant Street. This entry/exit would connect with a five lane roadway that would run along the northern edge of the pier and turn south in front of the terminal, ending with a bus turnaround at the southern end of the terminal. The roadway would provide access directly to both a 450-space parking garage and the terminal. Secondary access to the pier garage would be from The Embarcadero between Bryant and Brannan Streets.

The residential program of the project would be constructed on Seawall Lot 330, a triangular property used as a public parking lot located directly opposite Pier 30-32 to the west of The Embarcadero and bounded by Bryant Street to the north and west, Beale Street to the south, and The Embarcadero to the east. The project would construct 350 condominiums in eight buildings, most of which would sit atop a two-level, 350-space parking garage. Three of the buildings would be street level units and would range from two- to six-stories in height; two of the buildings would be three-story structures located atop the two-level garage podium, and three buildings would be towers ranging from 11 to 17 stories in height. One tower would be located near each of the site's corners. Common open space for use by residents of the project would be situated on the podium level, while the corners of the site at The Embarcadero at Beale Street and at Bryant Street would be developed as public open areas.

Construction of the residential component of the project on Seawall Lot 330 would take about 19 months for complete build-out, with occupancy planned for 2004. The proposed mixed-use/cruise terminal component of the project on Pier 30-32 would take approximately 25 months to build, with occupancy planned for July, 2004.

BRANNAN STREET WHARF PROJECT

The Wharf project would involve removal of Pier 36 (91,845 sq. ft.), located immediately to the south of Pier 30-32, removal of approximately 10,000 sq. ft. of marginal wharf (between the southern edges of Pier 30-32 and Pier 38), and repair of approximately 15,000 sq. ft. of marginal wharf to create a new 57,000 square-foot public open space to be known as the Brannan Street Wharf. The new open space would be 600 feet long (parallel to The Embarcadero) and 95 feet wide, and would require construction of 45,000 sq. ft. of new pile-supported wharf.

The park would be intended as a major public open space that would provide access to the waterfront for residents and visitors to the area and accommodate passive recreational activities. The park's design would accommodate viewing and seating, and likely include fountains, interpretive signs, a small amphitheater, areas for activities such as chess and checkers, fish cleaning facilities, public art, and appropriate site furnishings. Other possible park uses would be informal small playfields for volleyball, a children's play area, and picnic areas. Temporary boat tie-ups, a landing and launch area for kayaks, and other related water-oriented recreation facilities may also be provided. This project would be implemented independently by the Port, but its timeline for construction would be linked to development of the Cruise Terminal project.

According to the requirements of Assembly Bill 1389, the Port must complete Phase I of the park (in the area of former Pier 34 and to the north) contemporaneously with the construction of the Cruise Terminal project and must remove Pier 36 and complete the remainder of the Wharf project within five years of the start of construction of the Cruise Terminal project.

B. MAIN ENVIRONMENTAL EFFECTS

Provided below are brief summaries of the impacts discussion of each of the environmental issues analyzed in this SEIR. Please refer to the appropriate corresponding section for a more detailed discussion of each of these issues. The page number for the corresponding section is indicated next to the heading for each issue.

LAND USE (p. 29)

While the changes that would occur on the project sites as a result of the proposed projects would be dramatic and substantial, they would also be in keeping with established development patterns and policies of the City and County of San Francisco. The adjacent South Beach neighborhood is an area in which a number of large residential projects, most of which include neighborhood-serving retail and restaurants on their ground floors, have been constructed in recent years in an area still occupied by numerous office buildings and a dwindling amount of waterfront maritime operations. This development pattern has been encouraged by City policies. The area is also well served by MUNI. As such, the proposed projects, would continue and reinforce existing land use development patterns, would be consistent with nearby existing uses, and would neither disrupt nor divide the neighborhood. For these reasons, both projects would have a less than significant land use impact.

VISUAL QUALITY (p. 47)

Taken together, the Cruise Terminal and Wharf projects would result in a visual change to their respective project sites and the greater project vicinity/South Beach neighborhood. The proposed Cruise Terminal project would result in a visual change since it would include a variety of new structures on both the Pier 30-32 and seawall lot portions of the site that would range in height from 25 to 187 feet. The proposed Wharf project would result in a visual change since it would replace a pier with a shed building on it with a landscaped open space and open water basin.

Although visual quality is subjective, given the proposed exterior materials and the fact that the proposed project would be constructed within a group of nearby buildings of varying height and bulk in a highly developed urban area, it cannot be concluded that the proposed Cruise Terminal project would result in a substantial, demonstrable negative aesthetic effect, or that it would substantially degrade the existing visual character of the site and its surroundings. The same conclusion would apply to the Wharf project, whose open space and net increase in visible water area would likely have a positive aesthetic effect. As such, both projects would result in less than significant effects related to visual character and aesthetics. In addition, the projects would result in less than significant visual effects related to light and glare.

The proposed residential development on the seawall lot would primarily affect some views from existing private residences in the Bayside Village and Portside Condominium complexes. While a potentially substantial change to the residents of those properties, visual impacts to private property would not be considered significant. Development on Pier 30-32 would also disrupt existing views of the

waterfront, but would do so only from limited public vantage points, primarily from portions of The Embarcadero just north and south of Pier 30-32. The Wharf project would result in improved views, as it would expand waterfront open space and remove Pier 36. Because the proposed projects would not obstruct any publicly accessible scenic views or have a substantial adverse effect on a scenic vista observed from public areas, neither project would result in significant impacts related to visual quality.

TRANSPORTATION (p. 64)

The traffic study prepared for the Cruise Terminal project analyzed traffic effects for Base Case, Cruise Season, and Off-Season scenarios. The Base Case represents a typical day when neither a cruise ship is docked or a special event is occurring. The Cruise Season represents a typical day during the cruise season (May through October) when one large home-berthed ship would be docked at the cruise terminal. The Off-Season condition represents a day between November and April on which the project sponsor would rent out a portion of the cruise terminal for a special event.

Traffic - Existing Plus Project. In the PM peak hour, the project would result in significant traffic impacts at five intersections (Second/King, Third/King, The Embarcadero/Bryant, Harrison/Fremont, and Harrison/First) under all three scenarios. Except for the intersection of Harrison/First, all of these intersections would experience a degradation from an acceptable to an unacceptable level of service as a result of the project. Implementation of measures that would widen and realign the intersection of The Embarcadero/Bryant Street to add a third travel lane to the eastbound approach and that would modify the southbound traffic signal at that intersection would reduce delays (Mitigation Measure C.1), but unacceptable conditions would remain. Implementation of a Transportation Demand Management program to reduce potential automobile trips to and from the project site (Mitigation Measure C.2) and a contribution by the project sponsor to the Department of Parking and Traffic's Intelligent Transportation Management System program to install changeable message signs, video cameras, and other traffic flow control devices (Mitigation Measure C.3) would not reduce the impact at any of the five intersections to a less than significant level.

In the AM peak hour (Cruise Season only), The Embarcadero/Bryant and the Third/King intersections would degrade from acceptable to unacceptable levels. Implementation of Mitigation Measures C.1, C.2, and C.3 would not reduce impacts to less than significant levels. In the Weekend peak hour (Cruise Season only), The Embarcadero/Bryant intersection would degrade from an acceptable to an unacceptable level. Implementation of Mitigation Measure C.1 would improve intersection operating conditions to an acceptable level of service and therefore mitigate the significant impact.

Traffic - Cumulative 2020. In the PM peak hour, the project would result in significant impacts at eight intersections (The Embarcadero/Howard, The Embarcadero/Folsom, The Embarcadero/Bryant, The Embarcadero/Brannan, Harrison/Fremont, Harrison/First, Second/King, and Third/King) under all three scenarios. The project would contribute more than 35 percent of the growth to the critical movements at these intersections, all of which would operate at unacceptable levels of service. Implementation of

Mitigation Measures C.1, C.2, and C.3 would not reduce impacts to less than significant levels. Implementation of a measure that would add a third travel lane to the eastbound approach of the intersection of The Embarcadero/Howard (Mitigation Measure C.4) would improve operational conditions at that intersection, but would not reduce impacts to a less than significant level.

In the AM peak hour, The Embarcadero/Brannan and Third/King intersections would degrade from acceptable to unacceptable levels. The project would contribute more than five percent to the critical movements at those intersections. Implementation of Mitigation Measures C.2 and C.3 would not reduce impacts to less than significant levels. In the Weekend peak hour, The Embarcadero/Bryant intersection would degrade from an acceptable to an unacceptable level. The project would contribute substantially to the cumulative critical movement at this intersection. Implementation of Mitigation Measure C.1 would improve intersection operating conditions to an acceptable level of service and therefore mitigate the significant impact.

Transit. Under Cumulative 2020 conditions, MUNI service along the southeast screenline would operate at 98 percent of capacity overall and 108 percent of capacity on southeast lines other than those along the Mission Street and Third Street corridors (Other Lines). The proposed project would contribute about 17 percent of the cumulative growth to the overall screenline and about 17 percent to the cumulative growth on the Other Lines. The project's contribution to this screenline would be considered a significant impact under Cumulative conditions. However, with implementation of identified mitigation that would add transit capacity to the southeast screenline (Mitigation Measure C.5) and require the project sponsor's coordination with the MUNI Special Events office (Mitigation Measure C.6), the project's contribution to this impact would be reduced to a less than significant level. The project would not result in any significant effects to local or regional transit under Existing Plus Project conditions.

Parking. The project would displace 500 parking spaces on the seawall lot and 300 spaces on Pier 30-32, for a total of 800 spaces. The project would provide 450 spaces on Pier 30-32 and 350 spaces on the seawall lot, for a total of 800 spaces. The project would meet the Planning Code requirements for handicapped and bicycle parking, as well as for showers and lockers.

Based on Planning Code requirements, the project would be required to provide 2,021 parking spaces under Base Case conditions, 2,081 during the Cruise Season when a ship is berthed at the pier, and 2,112 during the Off-Season when a special event is taking place at the cruise terminal. As such, the greatest parking shortfall (supply vs. required) would occur during the Off-Season, when the project would provide 1,312 fewer spaces than are required by the Planning Code. In all cases, however, the parking supply on the seawall lot would meet the Code requirement of one space per residential unit.

Project-generated parking demand would be greatest during the Cruise Season, when a demand would exist for 1,934 spaces, or 1,593 spaces when adjusted for shared parking. The parking shortfall (supply vs. demand) would be greatest (1,134 spaces) during the Cruise Season when a special event is taking place at the Cruise Terminal. Under all conditions, the parking shortfall on the seawall lot would be 99 spaces and the remaining shortfall would occur on Pier 30-32. If shared parking opportunities were taken

into account, the parking shortfall would be approximately 660 spaces in the Base Case, 793 spaces in the Cruise Season, and 729 spaces in the Off-Season. The parking shortfall would be considered a social effect, but not a significant environmental impact. The magnitude of the expected shortfall would have impacts on the surrounding neighborhood by increasing the competition for very limited parking.

Loading/Bicycles/Pedestrians/Construction. The proposed project would meet the Planning Code requirements for loading facilities (nine on Pier 30-32 and two on the seawall lot). Due to potential traffic disruption caused by trucks using the seawall lot loading spaces on Bryant Street, the project would have the potential to result in a significant impact. However, implementation of identified mitigation (Mitigation Measures C.7 and C.8) would mitigate such impacts to a less than significant level. The project would not result in significant transportation effects related to passenger loading, bicycles, pedestrians, or construction.

Brannan Street Wharf project. Most persons destined for the Brannan Street Wharf would come from neighboring uses and would walk, bicycle, take transit, or use modes other than automobiles. As such, the trips associated with the Wharf project's open space were accounted for in the trip generation of other project uses and would not affect traffic patterns, intersection levels of service, or transit service levels. As such, the Wharf project would have not a significant impact on traffic, circulation, or parking.

HYDROLOGY AND WATER QUALITY (p. 95)

Minor changes in the stormwater runoff draining directly to the Bay from the Cruise Terminal and Wharf projects would result in an improvement in water quality conditions. The Cruise Terminal project's effect on the increase in CSO frequency in the Bayside system would have a negligible effect on Bay water quality. Therefore, long term operational impacts associated with stormwater runoff would be less than significant.

Regarding cruise ship discharges, due to uncertainty in the effectiveness of existing regulations (that are currently under evaluation by the USEPA) and the potential for discharges to occur (although such occurrences would likely be very infrequent), the increase in shipping activities associated with the proposed project could potentially result in significant degradation of water quality. Implementation of Mitigation Measure D.1, which would create and maintain a program designed to prevent cruise ships from releasing discharges to the Bay, would reduce these impacts to a less than significant level.

The Cruise Terminal project would require approximately 20,000 to 25,000 cubic yards of annual maintenance dredging after the initial dredging of approximately 166,500 cubic yards. Maintenance dredging, where the dredged material is to be deposited in an area authorized by all applicable state and federal regulatory agencies, is considered to be a Class 4 Categorical Exemption under CEQA. Therefore, water quality impacts associated with maintenance dredging would be less than significant.

Construction of the proposed Cruise Terminal and Wharf projects could affect water quality either directly or indirectly, due to grading and earthmoving activities (seawall lot only), use of fuels and other

chemicals for construction equipment, construction on piers directly over the Bay, and/or construction activities in the Bay. None of these aspects of project construction would result in significant effects. In addition, cumulative hydrology and water quality impacts associated with the proposed projects would be less than significant.

AIR QUALITY (p. 115)

Project construction activities may result in significant amounts of dust, and as a result, local visibility and PM-10 concentrations may be adversely affected on a temporary and intermittent basis. In addition, the fugitive dust generated by construction would include not only PM-10, but also larger particles, which would fall out of the atmosphere within several hundred feet of the site causing nuisance-type impacts. With implementation of BAAQMD's standard and enhanced dust control procedures (Mitigation Measure E.1), fugitive dust impacts would be reduced to a less than significant level.

Daily emissions under the Cruise Terminal project would substantially exceed the BAAQMD significance threshold of 80 lbs./day for reactive organic gases (ROG), nitrogen oxides (NOx), and inhalable particulates (PM-10). Emissions in future years would be reduced because of the phase-out of older, more polluting vehicles and ships. In addition, emissions from diesel engines on new vehicles built after 2004 will be reduced because of state and federal regulations. However, because of past difficulty in enforcing such regulations on international vessels, emissions would still be significant. With implementation of trip reduction measures recommended by the BAAQMD intended to reduce ozone precursor and particulate matter pollutant emissions (Mitigation Measure E.2), impacts of criteria air pollutant emissions would be reduced, but not to a less than significant level. Therefore, regional project-related impacts would be significant and unavoidable.

Project-related traffic may result in localized areas with high concentrations of carbon monoxide concentrations around stagnation points such as major intersections and heavily traveled and congested roadways. Evaluation of such a potential revealed that the Cruise Terminal project would not result in exceedances of carbon monoxide standards and therefore would not result in a significant effect. Based on the results of dispersion modeling conducted for the Southern Waterfront project SEIR, emissions from the Cruise Terminal project would not exceed the diesel risk threshold of 10 in a million and so would have less than significant effects related to toxic air contaminants.

According to the *BAAQMD CEQA Guidelines*, any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. Because the project would exceed the significance criteria of 80 pounds per day for ROG, NOx and PM-10 in both analysis years 2004 and 2020, and the annual threshold of 15 tons per year for ROG and NO_x in 2004 and for NOx and PM-10 in 2020, the project's cumulative impact on air quality of the region would be considered significant. Even with implementation of the trip reduction measures recommended by the BAAQMD included in Mitigation Measure E.2, the project would still result in a significant impact. This would be a significant unavoidable impact that cannot be mitigated.

SHADOW (p. 134)

As determined by a shadow fan analysis conducted by the Planning Department, the Cruise Terminal project would not cast new shadow on any open space under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset. Because of its location to the south and east of the two components of the Cruise Terminal project site, the proposed Brannan Street Wharf park would not be affected by shadows caused by the Cruise Terminal project. Similarly, the Wharf project would not be affected by shadows of existing nearby structures. As such, in addition to itself having less than significant shadow effects, conditions on the Wharf project site would not be substantially affected by the proposed Cruise Terminal project. While the Cruise Terminal project would add minimal new shadows to the project vicinity, the new shading caused by the project would not affect open spaces protected by Planning Code Section 295 such as South Park, other public open spaces such as South Beach Park, privately-owned publicly accessible open spaces, or private open spaces. Therefore, shadow impacts associated with the Cruise Terminal project would be less than significant.

WIND (p. 142)

With the proposed project, wind conditions would be considered moderately windy; the average wind speed for all 59 test points would be just over 9 mph, a decrease of about 1 mph from the existing average. Wind speeds in pedestrian areas would range from 4 mph to 16 mph. Comparing only to the points measured for existing conditions, the project would eliminate seven comfort criteria exceedances and add no new exceedances, while one existing exceedance would continue. Compared to existing conditions, the project would increase wind speeds at four locations, leave wind speeds unchanged at six locations, and decrease wind speeds at ten locations. The highest wind speeds would occur on the podium of the seawall lot near the base of the tower at Beale and Bryant Streets (16 mph) and on the north apron of the pier (15 mph). With the project, the Planning Code's wind hazard criterion would not be exceeded at any of the locations tested. As such, the proposed Cruise Terminal would have a less than significant effect on wind conditions. Wind speeds on the proposed Wharf project site would continue to be moderately windy; wind speeds would range from 10 mph to 11 mph. All four test points at or near the proposed Wharf open space would meet the Planning Code's pedestrian-comfort criterion of 11 mph. As such, in addition to itself having a less than significant effect on wind conditions, wind conditions on the Wharf project site would not be substantially affected by the proposed Cruise Terminal project.

HAZARDOUS MATERIALS (p. 147)

Based on completed subsurface investigations that revealed hazardous constituent concentrations in the soil on the seawall lot, the Cruise Terminal project sponsor would be required to submit a Site Mitigation Plan to appropriate agencies, including the San Francisco Department of Public Health, as part of the project. Compliance with the Maher Ordinance would reduce any potential impacts related to soil or groundwater to a less than significant level.

The demolition and renovation phases of the proposed projects would involve the potential for exposure to asbestos and the resulting adverse health effects if materials that contain hazardous substances are present. If required pre-construction sampling identifies asbestos-containing materials, such materials would have to be abated prior to construction. Regulations and procedures established as a part of the permit review process would ensure that any potential impacts due to asbestos would be reduced to a less than significant level.

Similarly, demolition and construction work associated with the projects could create exposure to paint materials containing lead. Adherence to regulations required as part of the San Francisco Building Code would ensure that potential impacts due to lead-based paint would be reduced to a less than significant level. Disposal of any lead piping in an appropriate landfill facility and of creosote-treated lumber found in pier pilings would reduce potential impacts to a less than significant level. Compliance with applicable laws and regulations would reduce to a less than significant level potential adverse environmental impacts associated with the transportation, storage, use and disposition of any other hazardous materials used in operation of the project.

GROWTH INDUCEMENT (p. 159)

The Pier 30-32 component of the proposed Cruise Terminal project would result in a net increase in floor area of 100,000 gsf of cruise terminal space, 220,000 gsf of retail space, and 370,000 gsf of office space, compared to existing conditions. In the context of existing and future patterns of development, growth in the number of households, and demand for housing, this net change would not represent a substantial population growth or concentration in the neighborhood, city or region. The seawall lot component of the project would introduce 350 new residential units into the project neighborhood. Given the increasingly residential character of the South Beach area, the mixed-use nature of that project, and the location of the project site in a densely developed urban area, the Cruise Terminal project would not necessitate or induce the extension of municipal infrastructure. In view of the above, there is no reason to believe that the Cruise Terminal project would result in additional development in the project vicinity that would not otherwise occur. Similarly, the proposed Brannan Street Wharf open space, which would be constructed in a dense urban context with a wide variety of uses, would not necessitate or induce the extension of municipal infrastructure or result in additional development in the project vicinity that would not otherwise occur.

Although housing affordability and availability remains an important policy issue in San Francisco and throughout the Bay Area, project employment, even if it were to represent all new residents, would result in a small contribution to overall housing demand, and would not be considered significant. The project would not be expected to induce any substantial amount of new growth, either residential or commercial.

OTHER ENVIRONMENTAL ISSUES ADDRESSED IN THE 1997 WATERFRONT PLAN EIR (p. 161)

The Port of San Francisco Waterfront Plan EIR analyzed environmental impacts resulting from implementation of the Waterfront Plan. This section provides a brief discussion of each of the environmental issues addressed in the Waterfront Plan EIR for which the Cruise Terminal and Brannan Street Wharf projects would not have the potential to create new or different environmental effects than those already analyzed in that EIR.

Energy. The Waterfront Plan concluded that no significant impacts would occur as a result of development under any of the alternatives of the proposed Waterfront Plan. Neither of the proposed projects would result in the need for construction of additional energy production facilities and therefore would not result in environmental effects associated with construction of such facilities. Further, the Cruise Terminal project would meet current state and local codes concerning energy consumption and would not inherently cause a wasteful use of energy. The Wharf project would not involve construction of new structures or otherwise create a substantial demand for energy. Therefore, effects related to energy consumption would be less than significant for both projects.

Noise. The Waterfront Plan concluded that no significant impacts would occur as a result of development under any of the alternatives of the proposed Waterfront Plan. The proposed projects would not result in or be affected by substantial increases in noise associated with vehicle traffic, cruise ships, mechanical equipment, or project construction. Therefore, noise associated with the operation and construction of the projects would be less than significant.

Biological Resources. The Waterfront Plan EIR concluded that except for the potential short-term significant effects to Pacific herring as a result of repair or replacement of pier pilings during the December to March spawning period, no significant impacts would occur as a result of development under the proposed Waterfront Plan. The proposed projects would involve pier removal, pier repair and replacement, dredging, removal and addition of fill, and increased stormwater runoff, but at less intensive levels than analyzed in the Waterfront Plan EIR. With implementation of Mitigation Measure H.1 from the Waterfront Plan EIR, which would limit pier repair/replacement work to outside the Pacific herring spawning period, both projects would result in less than significant impacts on biological resources.

Geology, Soils, and Seismicity. The Waterfront Plan EIR found that except for potential effects associated with the increased risk of injuries and structural and non-structural damage associated with earthquakes, all other impacts could be mitigated to a less than significant level. Neither the Cruise Terminal or Wharf project would result in any new significant impacts associated with soils, geology, or seismicity that were not analyzed in the Waterfront Plan EIR. However, the significant unavoidable impact related to earthquakes identified in the Waterfront Plan EIR would not be reduced to a less than significant level. This SEIR does include though, mitigation measures from the 1997 Waterfront Plan

FEIR (Measures I-1, I-3, I-4, I-5, I-7, I-8, I-9, I-10, and I-11) that address a variety of potential geology, soils, and seismicity effects.

Historic Architectural Resources. The Waterfront Plan EIR indicates that there would be significant impacts in locations with structures identified as Significant or Potentially Significant as a result of development under the proposed Waterfront Plan. The Port has secured funds and hired an historic preservation consultant to prepare a National Register historic district nomination by or before June, 2002. Based on the historic surveys produced to date, it is not anticipated that Pier 30-32, Red's Java House, or the pier and shed on Pier 36 will be included in the nomination. The Cruise Terminal and Wharf projects would be subject to the waterfront design review process to ensure compatibility of the overall design with the Waterfront Plan policies, including compatibility of the projects with the historic waterfront. As such, neither the Cruise Terminal or Brannan Street Wharf project would have the potential to result in significant impacts on existing historic architectural resources or the planned waterfront historic district.

Archaeological Resources. The Waterfront Plan EIR concluded that portions of the project area have a high potential for containing significant buried archaeological resources, but that the potential impacts on these resources is in large part a function of the amount of excavation that would occur. The Wharf project and pier component of the Cruise Terminal project would be constructed entirely on pier or wharf structures. The seawall lot component of the Cruise Terminal would be constructed on a reclaimed site and where soil would be disturbed. However, development on the seawall lot would involve only minimal soil disturbance. As such, neither of the proposed projects would have the potential to result in significant impacts to archaeological resources.

Public Services and Utilities. The Waterfront Plan concluded that services are generally available to support increases in development and activity associated with all alternatives and therefore no significant environmental effects would occur. Both of the proposed projects would be undertaken in a fully built-out area of downtown San Francisco, where all utilities and services are currently provided. Therefore, no need for an expansion of public utilities or public service facilities is anticipated and so neither project would have the potential to result in significant impacts.

C. AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The primary areas of controversy associated with the proposed San Francisco Cruise Terminal Mixed-Use Project concern: (1) the potential adverse traffic and parking impacts in the South Beach neighborhood that would result from the development of the now vacant Seawall Lot 330 and Pier 30-32; (2) the potential adverse air quality effects associated with cruise ship emissions; (3) the potential blockage of views of the waterfront from residential structures located to the west and northwest of the project site; and (4) the potential for adverse water quality effects during construction and operation of the Cruise Terminal project as a result of an additional burden to the combined sewer/stormwater system and other discharges associated with cruise ships. There are no areas of controversy associated with the

proposed Brannan Street Wharf project. The Port of San Francisco, Planning Commission, and other decision-making agencies will decide whether to approve or disapprove each of the proposed projects separately after review and certification of the SEIR. In selecting or rejecting project alternatives, decision makers may also use other information in the public record.

D. MITIGATION MEASURES (p. 169)

TRANSPORTATION, CIRCULATION AND PARKING

MITIGATION MEASURES *(Cruise Terminal Project)*

INTERSECTION TRAFFIC

Existing Plus Project Conditions

C.1 **The Embarcadero/Bryant Street Intersection** –.

a. Widen the eastbound approach at The Embarcadero/Bryant Street intersection. Eliminate the painted median on Bryant Street between The Embarcadero and Main Street, in order to add a third travel lane to the eastbound approach of the intersection. Re-stripe for one left-turn lane, one through lane, and one right-turn lane. Realignment of the curb and widening of Bryant Street width would be necessary if the additional lane is continued from The Embarcadero west to Main Street. If the current street width were maintained on Bryant Street, the length of the additional turn lane would be restricted to approximately two car lengths. *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-4)*

b. The Department of Parking and Traffic should consider modifying the southbound traffic signal at The Embarcadero/Bryant so that the left-turn movement has a green arrow instead of a flashing yellow left-turn signal. *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-4)*

C.2 **Transportation Demand Management Program** – To alleviate the impacts of vehicle trip generation to the project site, it is recommended that a Transportation Demand Management (TDM) Program be implemented to reduce potential automobile trips and to reduce related impacts, such as the demand for parking. A copy of the *San Francisco Cruise Terminal Mixed-Use Project TDM Program* is included in Appendix H. *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-7)*

C.3 **Intelligent Transportation Management System (ITMS)** – To mitigate traffic impacts at LOS E and LOS F intersections, the project sponsor should work with the Department of Parking and Traffic (DPT) to determine an appropriate level of contribution to the DPT ITMS program to provide changeable message signs, video cameras, and other traffic flow control measures along The Embarcadero and King Street.

Cumulative Conditions

C.4 **The Embarcadero/Howard Street Intersection** – Add a third travel lane to the eastbound approach on Howard Street by removing parking on the south side of the street. This would allow

room for two left-turn lanes and one right-turn lane. (If this mitigation measure is not implemented, the Department of Parking and Traffic should consider striping the existing right lane for left and right turns. It has been observed that drivers are using both lanes to make left turns.) *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-4)*

TRANSIT

C.5 Additional transit capacity should be added to the Southeast MUNI screenline to accommodate the increased demand for service. Based on analysis, the addition of 107 peak hour transit spaces (seats plus standees) would bring the transit capacity back to the acceptable level of service, 96 percent capacity utilization. The project sponsor's share of that increase in transit capacity would equate to about 17 percent of the new capacity. If an effective Transportation Demand Program (TDM) program is implemented, the project sponsor's fair share would potentially increase. Demand under either scenario could be accommodated by the peak hour addition of a streetcar or by providing an historic streetcar for operation upon initiation of E-Line service.

C.6 As requested by MUNI, the project sponsor shall contact the MUNI Special Events office as needed to alert them to special events at Pier 30-32 that would place extra demand on MUNI services.

TRUCK LOADING

The following mitigation measures are recommended to minimize the disruption to traffic along Bryant Street while trucks maneuver into the loading bays serving the seawall lot component of the Cruise Terminal project:

C.7 Relocate the freight loading bays proposed for the seawall lot component of the project to Beale Street to eliminate the potential conflict with traffic on Bryant Street during the weekday commute periods; or

C.8 Prohibit freight deliveries to the proposed seawall lot component of the project during the afternoon PM peak period (between 3:30 and 6:30 PM).

PEDESTRIAN SAFETY

C.9 Work with the Department of Parking and Traffic and the Port to identify and implement measures, such as redesigning the Pier 30-32 driveway as an intersection with curbed corners and a signal controlled pedestrian crossing or installing pedestrian signals at the project driveway on the promenade to alert pedestrians to the heavy volume of traffic crossing the promenade at Bryant Street.

C.10 A pedestrian countdown signal should be installed on the pier side of The Embarcadero at the project driveways at Bryant Street and north of Brannan Street.

IMPROVEMENT MEASURES IDENTIFIED IN THIS SEIR *(Cruise Terminal Project)*

PARKING

C.1 The project sponsor should work with the San Francisco Giants' management to identify alternative locations that would be available for Pac Bell Park parking when the spaces on Pier 30-32 and Seawall Lot 330 are displaced.

C.2 The Port of San Francisco should identify an alternative location to accommodate Fisherman's Wharf tour bus parking displaced from Pier 30-32. The availability of this lot should be publicized to ensure that potential users are aware of its location.

C.3 As prescribed by the Department of Parking and Traffic, the garage on Pier 30-32 should have an electronic sign clearly alerting drivers when the garage is full and minimizing the potential for queuing on The Embarcadero.

CONSTRUCTION

C.4 Any temporary lane closures associated with the project should be restricted to off peak hours between 9:00 AM and 3:30 PM.

C.5 Project sponsor should identify an off-street location for temporary construction worker parking that would minimize the parking impacts on the neighborhood during construction of the project.

C.6 Temporary lane closures or disruptions that would impact traffic flows or MUNI operations should be coordinated with Department of Parking and Traffic and MUNI's Street Operations/Special Events office.

HYDROLOGY AND WATER QUALITY

MITIGATION MEASURES *(Cruise Terminal Project Only)*

SHIP-RELATED IMPACTS ON WATER QUALITY

D.1 The project sponsor shall initiate and maintain a program designed to prevent cruise ships at the proposed cruise terminal from releasing incidental or intentional discharges to San Francisco Bay. The types of prohibited discharges would include sewage, gray water, hazardous waste, ballast water, solid waste, and fuel or oil-related substances. Such a program would include, at a minimum: review of cruise lines' processes with relation to discharges; implementation of a reporting mechanism between the cruise ship line and cruise terminal operator that would include monitoring of discharge operations while in Port; reporting by the cruise terminal operator to the Coast Guard and other local agencies all incidental or intentional discharges to the Bay; and establishment of a regular meeting schedule between Coast Guard personnel and the cruise terminal operator to address ship discharge procedures and issues.

IMPROVEMENT MEASURES *(Both Projects)*

STORMWATER RUNOFF

D.1 To minimize the potential for water quality degradation from stormwater runoff, the Port should require that all tenants implement source control Best Management Practices consistent with those identified in the San Francisco Water Pollution Prevention Program and the Industrial/Commercial Storm Water Best Management Practices Handbook. Measures that could be implemented include, but are not limited to, the following:

- Training employees about the importance of stormwater pollution prevention, about proper material and waste storage/handling/disposal techniques, about spill/leak prevention and clean-up; and about emergency response;
- stenciling "Protect the Bay—Don't Dump" next to on-site storm drains;
- inspecting and cleaning if necessary, storm drain inlets and catch basins within the pier development before October 1 of each year;
- maintaining a spill response plan and training employees in the use of the plan;
- providing adequate secondary containment for working and storage areas to protect drains from spills and to make spill clean-up easier;
- properly containing and covering all solid and liquid wastes, especially during transfer;
- cleaning up spill immediately;
- prohibiting use of hazardous cleaning agents outdoors;
- designing loading/unloading areas to isolate these areas so that spills or leaks can be contained and cleaned, such as using berms or grade breaks and routing roof downspouts away from loading/unloading areas;
- keeping areas clean with regular sweeping of paved areas and removal of trash;
- prohibiting discharge of process water to storm drains;
- employing appropriate containment measures for fuel, lube oil, waste oil, and any other hazardous materials that may be handled or stored on-site, to capture potential spills;
- no steam cleaning/pavement cleaning water will be discharged directly into the Bay; and
- installing grease and sediment traps at vehicle maintenance and washing areas to prevent contaminating stormwater.

OPERATIONAL WATER QUALITY

D.2 The Port should work with the City and other agencies, such as Golden Gate National Recreation Area, to obtain and assure funding for annual updating of the San Francisco Oil Spill Prevention and Response Plan (OSPRP). The Port should also require the Cruise Terminal operator to develop

a site-specific OSPRP to supplement the general San Francisco plan, maintain a contract with the spill response calendar, and maintain on-site first-response supplies.

CONSTRUCTION WATER QUALITY

D.3 The project sponsor should require contractors to prepare and implement a Storm Water Pollution Prevention Plan consistent with control measures identified in the San Francisco Water Pollution Prevention Program and those required under the statewide General Permit for Storm Water Discharges Associated with Construction Activity. Measures that could be implemented include, but are not limited to, the following:

- scheduling excavation and grading activities for dry weather periods;
- controlling the amount of runoff crossing the site using berms or temporary drainage ditches to divert water from the site;
- protecting storm drains in the vicinity of the site with berms or filters, even during dry weather;
- cleaning out catch basins on a regular basis;
- keeping materials out of the rain by covering exposed piles of soil or construction materials with plastic sheets;
- dry sweeping paved surfaces that drain to storm drains; and
- cleaning up all spills, leaks and drips so they do not contaminate soil or groundwater or leave residue on paved surfaces.

D.4 Best Management Practices should be implemented during construction of facilities on or adjacent to the Bay to minimize effects of construction activities on water quality. In order to minimize potential for spills, construction materials or debris to enter the Bay and affect water quality, site-specific construction methods and precautions, such as limiting activities on days of strong winds, could be included in the contractor's construction specifications to minimize effects on water quality. Demolition of structures with lead-based paint should include physical precautions to ensure that paint dust and chips do not enter the Bay.

AIR QUALITY

MITIGATION MEASURES

CONSTRUCTION AIR QUALITY (Both Projects)

E.1 The Port now requires that project sponsors direct construction contractors to implement a dust abatement program to reduce the contribution of project construction to local PM-10 concentrations. Elements of this program should continue to include the following, to reduce particulate emissions:

- Water all areas capable of creating fugitive dust during demolition, excavation and construction activity. This includes watering internal roadways, unpaved construction areas and active sites at least twice per day. Increase the frequency of watering when wind speeds exceed 15 miles per hour. San Francisco Ordinance 175-91 requires that non-potable water

be used for dust control activities. Therefore, the project sponsor will require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose.

- Limit speeds to 10 miles per hour on all internal roadways and suspend all excavating and grading operations when instantaneous gusts exceed 25 miles per hour.
- Sweep paved internal roads, access roads, parking areas, construction staging areas and adjacent City streets if any visible soil material is carried over to these streets at the end of the day. Sweep up dirt or debris spilled onto paved surfaces immediately to reduce re-suspension of particulate matter through vehicle movement over these surfaces.
- Employ wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- As feasible, the contractor(s) shall limit the area subject to excavation, grading and other construction activity at any one time.
- Replace ground cover in disturbed areas as quickly as possible.
- Enclose, cover, water twice daily, or apply soil binders to exposed stockpiles of sand, gravel and dirt. Cover all trucks hauling dirt, sand, soil, or other loose materials. Maintain at least six inches of freeboard between the top of the load and the top of the trailer.
- Install gravel at construction equipment entrances to unpaved areas to prevent tracking of dirt and mud onto streets.
- Designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air District prior to the start of construction.
- The project contractor(s) shall submit to the BAAQMD a comprehensive inventory of all the heavy-duty equipment (50 hp or greater) that would be used more than 40 hours over the life of the project. This equipment may be owned and operated by the prime contractor and/or any subcontractor. At least 20% of this equipment shall be powered by CARB-certified off-road engines.
- Contractor(s) shall ensure that any stationary motor sources (such as generators and compressors) located within 100 feet of any residence, public facilities, or school (sensitive receptors) is equipped with a supplementary exhaust pollution control system as required by the BAAQMD and CARB.
- Maintain and operate construction equipment so as to minimize particulates from exhaust emissions. During construction, require contractors to operate trucks and equipment only when necessary. Equipment should be kept in good condition and well tuned, to minimize exhaust emissions.

This mitigation measure would also reduce demolition-related impacts regarding lead paint chips/lead dust. The project sponsor would also be required to comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint, enforced by the San Francisco Department of Building Inspection.

(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure F-1)

OPERATIONAL AIR QUALITY (Cruise Terminal Project only)

E.2 The project sponsor shall implement a trip reduction plan that includes some or all of the following standard BAAQMD measures, as determined feasible and appropriate. Each standard BAAQMD measure is in italics (with the estimated effectiveness at trip reduction indicated in parentheses), followed by the specific measure recommended for the proposed project.

Transit Measures: Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc., to support expanded transit service to the site (Effectiveness 0.5 - 2% of all trips).

- The project sponsor will pay the Transit Impact Development Fee for new office space as required by Chapter 38 of the San Francisco Administrative Code to improve the local transit infrastructure.
- Adequate taxi and bus parking and passenger loading facilities should be provided as part of the project.
- Provide workers with transit use incentives.
- Provide transit information at information booths in shopping areas and on recorded telephone announcement, and encourage individual stores to provide such information, both in person and by telephone. Arrange for the sale of MUNI Fast Passes and, potentially, other transit passes and tickets, at strategic locations around the project.
- Develop brochures, information packets, and/or an internet web page providing full information on transit access to the project site. Ensure that ship passengers are informed of transit opportunities, and provide maps and schedule information.
- Provide a location for a public ferry terminal to be developed or installed in the future at the Cruise Terminal project site.

Bicycle and Pedestrian Measures: (a) Provide secure, weather-protected bicycle parking for employees (Effectiveness 0.5 - 2% of work trips); (b) Provide safe, direct access for bicyclists to adjacent bicycle routes (Effectiveness 0.5 - 2% of work trips); (c) Provide showers and lockers for employees bicycling or walking to work (Effectiveness 0.5 - 2% of work trips); (d) Provide secure short-term bicycle parking for retail customers or non-commute trips (Effectiveness 1 - 2% of non-work trips); (e) Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development (Effectiveness 0.5 - 1.5% of all trips).

- The project sponsor will provide secure, covered bicycle parking at a ratio of one bike space for every twenty car spaces. This parking will be located in a well-lighted area as close as possible to residences and shops.
- The project will be easily accessed from an N-Judah MUNI Metro stop located less than 500 feet south of the project site.

Provide sidewalks and/or paths, connected to adjacent land uses, transit stops, and/or community-wide network (Effectiveness 0.1 - 1% of all trips).

- With the implementation of The Embarcadero Roadway project, a 25-foot promenade was established along the waterside and a 10-foot sidewalk was provided along the inland side of The Embarcadero. This wide walkway along the water's edge in combination with a standard sidewalk along the inland roadway would provide adequate capacity to meet the pedestrian demands during the peak demand periods.

Rideshare Measures: Implement carpool/vanpool program (e.g., carpool ride-matching for employees, assistance with vanpool formation, provision of vanpool vehicles, etc.) (Effectiveness 1 - 4% of work trips).

- Provide ride-matching service to employees to aid in the formation of carpools. This could be a contracted service provided by an outside agency.

Services Measures: (a) Provide on-site shops and services for employees, such as food service, bank/ATM, dry cleaners, etc. (Effectiveness 0.5 - 5% of work trips); (b) Provide on-site child care, or contribute to off-site child care within walking distance (Effectiveness 0.1 - 1% of work trips).

- Ensure that the retail tenant mix includes convenience services for project employees.

Parking Measures: Provide preferential parking for carpool and vanpool vehicles (Effectiveness 0.5 – 1.5% of work trips).

- Provide preferential carpool and vanpool parking for employees. These spaces should be the ones most conveniently located to the work areas.

(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure F-2)

OTHER ENVIRONMENTAL ISSUES ADDRESSED IN THE 1997 WATERFRONT PLAN EIR

MITIGATION MEASURES

BIOLOGY (Both Projects)

Mitigation Measure H-1 of the 1997 Waterfront Plan FEIR is incorporated herein by reference (see page 5 of Appendix F for the text of the measure).

GEOLOGY, SOILS, AND SEISMICITY (Cruise Terminal Project only unless otherwise indicated)

Mitigation Measures I-1, I-3, I-4 (*both projects*), I-5, I-7, I-8, I-9 (*both projects*), I-10 (*both projects*), and I-11 (*both projects*) of the 1997 Waterfront Plan FEIR are incorporated herein by reference (see pages 6 through 15 of Appendix F for the text of the measures).

E. ALTERNATIVES TO THE PROPOSED PROJECTS (p. 179)

CRUISE TERMINAL PROJECT

NO PROJECT ALTERNATIVE

Under the No Project Alternative, the project site would remain in its existing condition. No new development would take place on the site and no changes to the existing pier structure would occur. Both components of the project site would continue their current uses. However, this alternative would not preclude future proposals for redevelopment of the project site.

Because this alternative would not result in any physical changes to the project site, no effects would occur to land use, views, or other aspects of visual quality. This alternative would result in no increase in vehicle travel or transit use in the project vicinity. The expected increase from 40 to 69 ship calls per year would likely still occur at Pier 35, thereby resulting in related increases in vehicle trip generation, parking and loading demand, transit use, and pedestrian and bicycle traffic. These effects would, however, be concentrated in the vicinity of Pier 35 and would not affect the project site or vicinity. As such, there would be no project site-specific effects on intersection conditions, transit use, parking, loading, or pedestrian or bicycle traffic. Significant intersection level of service impacts that would occur as a result of the project would not occur. Local transit operating conditions that would be significantly affected under cumulative conditions by the proposed project would not occur.

Under this alternative, there would be no effect on shadows or wind speeds. Similarly, this alternative would not result in new effects related to hazardous materials. Air quality effects associated with project construction and increased traffic in the project vicinity would be avoided, although some of the related additional traffic would instead occur in the vicinity of Pier 35. However, the expected increase in ship calls, while less than would occur with the proposed project, would still result in significant regional air quality effects.

SEAWALL LOT HOTEL ALTERNATIVE

Under the Seawall Lot Hotel Alternative, development on Pier 30-32 would be nearly identical to that proposed as part of the project (except would have 550 rather than 450 parking spaces), but development on the seawall lot would involve construction of a hotel rather than residential condominiums. Differences with the seawall lot program would include a 400-room hotel plus 111 time-share units, rather than 350 residential condominiums; 190 parking spaces, rather than 350 spaces; and 1,500 sq. ft. of ground-floor retail, rather than no retail space. The site plan would also differ in that the buildings would be constructed around the perimeter of the site and oriented around a large central courtyard. Further, in contrast to the proposed project, the building heights under this alternative would not exceed the Planning Code limit of 105 feet and would not require a height reclassification or an exception to the bulk limits.

This alternative would involve a different seawall lot site plan with noticeably shorter buildings and therefore would result in improved views for some private residences to the northwest and west. The decreased height of development on the seawall lot would not, however, substantially improve views from existing private residences or public rights of way, looking either east (towards the waterfront) or west (from the waterfront) back to the seawall lot. Like the proposed project, visual quality effects would be less than significant.

With respect to traffic, this alternative would generate 84% to 89% of the net weekday PM peak hour vehicle trips generated by the proposed project for the three analysis conditions. While this reduction in trips would provide some relief to traffic congestion, it would not be enough to eliminate any of the identified significant intersection impacts. Similarly, the reduction in transit trips would be about two percent, and therefore would not eliminate the significant cumulative local transit impact that would occur with the proposed project. This alternative's shortfall of Code-required parking would be about 260 spaces less than that provided by the project. When comparing parking demand to parking supply, the shortfall would range from 575 spaces in the Base Case to 840 spaces during the Cruise Season, a reduction of 275 to 295 spaces compared to the project. As such, an exemption from the parking requirement on Pier 30-32 would still be required and no significant parking impacts would occur. All impacts associated with loading, pedestrian movement, and bicycles would be the same as the project.

Stormwater runoff, sewer system, dredging, construction, and shipping related effects on water quality would be identical to those of the proposed project. Like traffic effects, air quality effects would be improved slightly, but would not result in any perceivable differences. Because ship related and vehicle emissions would be very similar to those of the proposed project, air quality impacts would be the same as those of the proposed project. Although building forms and heights would be generally smaller on the seawall lot under this alternative, shadow and wind effects would not change substantively.

PIER 30-32 REDUCED INTENSITY ALTERNATIVE

Under the Pier 30-32 Reduced Intensity Alternative, development on the seawall lot would be identical to that of the project except that the building heights and bulk would be consistent with the property's existing height and bulk requirements. As such, no building would be taller than 105 feet. The Pier 30-32 program under this alternative would be identical to the proposed project except that each use would be substantially reduced. As such, this alternative would include a 60,000 sq. ft. terminal with 12,000 sq. ft. of event space and one cruise ship berth (on either the east or north side of the pier), 230,000 sq. ft. of office space, 110,000 sq. ft. of retail space, and 275 parking spaces. The result would be a site plan nearly identical to that of the project, but with the exception of the cruise terminal, all of the buildings would be two levels, and approximately 35 feet tall rather than 46 feet tall. The cruise terminal would provide less office space, but similar to the project, would range in height from 46 to 88 feet. The Pier 30-32 Reduced Intensity Alternative would be the environmentally superior alternative, as is required to be identified by *CEQA Guidelines* Section 15126.6(e)(2).

Under this alternative, no exception to the bulk limits or height reclassifications would be required. This alternative would potentially result in improved views from some private residences, including some of the units on the upper floors of developments to the northwest and west. The decreased height of development on the seawall lot and pier, as well as the use of only one ship berth would not, however, substantially improve views from public rights of way. Like the proposed project, visual quality effects would be less than significant.

With respect to traffic, this alternative would generate 43% to 48% of the net weekday PM peak hour vehicle trips generated by the project. The reduction in vehicle trips under this alternative would eliminate significant traffic impacts at the Second/King and Third/King intersections under Existing Plus Project conditions. While the reduction in trips would also provide some relief to congestion at other intersections, it would not be enough to eliminate any of the other project-identified significant intersection impacts. The reduction in transit trips would be about 46 percent, and therefore would eliminate the significant cumulative local transit impact that would occur under the proposed project. Although this alternative would include only one cruise ship berth, it is likely that nearly the same number of total ship calls would occur at the Port, but those calls (and their related traffic impacts) would be dispersed between the project site and, most likely, Pier 35 (where cruise ships currently call). However, the majority of calls would still occur at Pier 30-32.

The greatest Code-required parking shortfall would occur during the Off-Season, with a shortfall of about 645 spaces, and would lessen to a shortfall of 590 spaces under Base Case conditions. When comparing parking demand to parking supply, the shortfall would range from 435 to 700 spaces. As such, an exemption from the parking requirement on Pier 30-32 would still be required and no significant parking impact would occur. All impacts associated with loading, pedestrian movement, and bicycles would be the same as the project.

The stormwater runoff effects would be nearly identical to those of the project. Because this alternative would have substantially less intensive uses on the pier, its sewer flow would be less, although not enough to change substantially the overall contribution to the combined system. Similarly, shipping related and construction effects on water quality would be identical to those of the project. If only the east berth were to be used, it is likely that no dredging would need to occur because of that berth's adequate existing depth. If the north berth were used, the amount of maintenance dredging and the nature of related effects would be the same as those associated with the proposed project.

Like traffic effects, air quality effects under this alternative would be improved considerably, but would not result in any perceivable differences. Because ship related emissions would be the same as the proposed project and vehicle emissions from the decrease in trips would not be substantial enough to lessen the related adverse effects, air quality impacts would be the same as those of the proposed project. Although building forms and heights would be generally smaller on the seawall lot under this alternative, shadow and wind effects would not change substantively.

SEAWALL LOT REDUCED INTENSITY ALTERNATIVE

Under the Seawall Lot Reduced Intensity Alternative, development on Pier 30-32 would be identical to that proposed as part of the project, but development on Seawall Lot 330 would involve construction of 200 residential units (150 fewer units than the proposed project) and 200 parking spaces (150 spaces fewer than the proposed project). Further, the site plan for the seawall lot would also differ in that it would have the largest buildings at the western corner and in the middle of the property, while minimizing the height and bulk of buildings along the northeastern and southeastern edges of the property.

Under this alternative, no exception to the bulk limits or height reclassification for the seawall lot would be required. This alternative would potentially result in improved views from some private residences, including some of the units on the upper floors of developments to the northwest and west. The decreased height of development on the seawall lot would not, however, substantially improve views from public rights of way. Like the proposed project, visual quality effects would be less than significant.

With respect to traffic, this alternative would generate 92% of the net weekday PM peak hour vehicle trips generated by the proposed project for the three analysis conditions. While this reduction in trips would provide some relief to traffic congestion, it would not be enough to eliminate any of the identified significant intersection impacts. Similarly, the reduction in transit trips would be about three percent, and therefore would not eliminate the significant cumulative local transit impact that would occur with the proposed project. This alternative's shortfall of Code-required parking would be nearly identical to that of the project. When comparing parking demand to parking supply, the shortfall would be about 40 spaces less than that of the proposed project, ranging from 825 spaces in the Base Case to 1,090 spaces during the Cruise Season. As such, an exemption from the parking requirement on Pier 30-32 would still be required and no significant parking impact would occur. All impacts associated with loading, pedestrian movement, and bicycles would be the same as the project.

Stormwater runoff, construction, dredging, and shipping related effects on water quality would be nearly identical to those of the proposed project. Because this alternative would have fewer residential units than the project, its sewer flow would be less, but not enough to change substantially the overall contribution to the combined system. Like traffic effects, air quality effects would be improved slightly, but would not result in any perceivable differences. Because ship related and vehicle emissions would be identical or very similar to those of the proposed project, air quality impacts would be the same as those of the proposed project. Although building forms and heights would be generally smaller on the seawall lot under this alternative, shadow and wind effects would not change substantively.

BRANNAN STREET WHARF PROJECT

NO PROJECT ALTERNATIVE

Under the No Project Alternative, the project site would remain in its existing condition. No new development would take place on the site and no changes to the existing Pier 36 or marginal wharf would occur. Because implementation of the Wharf project is linked to development of the Cruise Terminal project, the No Project Alternative would only occur if the Cruise Terminal project were not implemented. The Wharf project could potentially still be constructed either in connection with a separately approved Port project or independently.

Because this alternative would not result in any physical changes to the project site, any public land use benefits associated with the project, including increased access to the waterfront and the creation of additional recreational space, would not occur. Similarly, the visual benefits that would occur as a result of the project's demolition of an existing pier (including the structure located on it), expansion of an open water basin, and construction of open space, would not occur.

Like the project, the No Project Alternative would have no traffic impacts. However, unlike the project, this alternative would not disrupt the existing minimal traffic flow to and from the Pier 36 component of the project site. Like the proposed project, there would be no effect on shadows or wind speeds under this alternative. Similarly, this alternative would not result in new less than significant effects related to hazardous materials associated with construction of the proposed project. Less than significant construction-related air quality effects that would occur with the proposed project would not occur under this alternative. Less than significant effects associated with the construction of the new wharf area, considered Bay fill, would not occur.

REDUCED FILL ALTERNATIVE

Under this alternative, the Wharf open space would be constructed with a different configuration than would the proposed project. Under this alternative, some of the existing marginal wharf would be repaired (rather than removed) and the Wharf would be 1,000 feet long (parallel to The Embarcadero) and 60 feet wide. As such, the open space would be slightly larger than with proposed project (60,000 sq. ft. rather than 57,000 sq. ft.) and construction would require 35,000 sq. ft. of new pile-supported wharf area, rather than 45,000 sq. ft. In all other respects, this alternative would be nearly identical to the proposed project.

Effects associated with the construction of 35,000 sq. ft. of new wharf area, considered Bay fill, would be slightly less than those with the proposed project. All other environmental effects, including those related to land use, visual quality, transportation, shadow, wind, air quality, and hazardous materials, would be nearly identical to those of the proposed project. This alternative would be the environmentally superior alternative, as is required to be identified by *CEQA Guidelines* Section 15126.6(e)(2).

CHAPTER II
PROJECT DESCRIPTION

A. OVERVIEW

This Draft SEIR evaluates the potential for impacts to the environment for two linked but separate proposed projects: the San Francisco Cruise Terminal Mixed-Use Project (Cruise Terminal project) and the Brannan Street Wharf project (Wharf project). The Cruise Terminal Project, as proposed by its two sponsors, San Francisco Cruise Terminal, LLC and the Port of San Francisco, includes two major components. The first component would involve the construction and use of a new cruise ship terminal for cruise ships that call at the Port of San Francisco, and would include retail, office, restaurant, entertainment, recreational space and open space all located on Pier 30-32. The second component of the Cruise Terminal project would include a residential project on Seawall Lot 330, located across The Embarcadero from Pier 30-32. The second project analyzed in this SEIR is the Brannan Street Wharf project, which would involve the demolition of Pier 36 and the creation of a new public open space in the area of the existing marginal wharf. These projects are described in greater detail below.

B. SITE LOCATION AND EXISTING CONDITIONS

Situated just south of the Bay Bridge along the waterfront in the northeastern part of San Francisco, the two adjacent project sites are located along The Embarcadero between Bryant and First Streets (see Figure 1 for an aerial view of the project vicinity). To the east of The Embarcadero is Pier 30-32, which is a 571,988 square-foot (sq. ft.) rectangular pier formed from two previously separate piers. Directly opposite Pier 30-32 to the west of The Embarcadero is Seawall Lot 330, a 123,956 sq. ft. triangular property bounded by Bryant Street to the north and west, Beale Street to the south, and The Embarcadero to the east. Together, these two properties constitute the Cruise Terminal project site. Immediately to the south of Pier 30-32 is Pier 36 (about 91,845 sq. ft.) and the marginal wharf area (approximately 25,000 sq. ft.) between Piers 30-32 and 38. This area defines the Brannan Street Wharf project site.

The adjacent South of Market (SOMA) neighborhood is composed primarily of large-lot, multi-story office and residential buildings. Multi-family residential complexes, including Bayside Village and Portside Condominiums, are located across Beale and Bryant Streets from the site, respectively. Hills Plaza, Rincon Center, and South Beach Marina Apartments, all large mixed-use developments, are located one to two blocks away to the north of the Bay Bridge. To the south of Pier 36, Pier 38 is occupied by a shed building used for dryboat storage, maritime office space, and a restaurant (planned). Pier 28, to the north, is occupied by a shed building used for commercial fish processing and other commercial and industrial uses. As indicated by the Waterfront Plan, both piers include either a pier

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 1
Project Site Location and Vicinity

shed or pierhead designated as historically Significant or Potentially Significant. Pacific Bell Park is located two blocks to the south along The Embarcadero. The PortWalk promenade, intended to ultimately provide a continuous waterfront public accessway from Fisherman's Wharf through Mission Bay, connects the piers and Pacific Bell Park with the rest of the waterfront uses to the north.

Pier 30-32, which is constructed on pilings over the water, is largely vacant except for the 1,500 sq. ft. freestanding Red's Java House restaurant located in the northwestern corner of the pier along The Embarcadero. Pier 30-32 is also used for parking, as well as for temporary berthing of ships, outdoor storage, and short-term special events. The seawall lot is paved and without structures, and is currently used for public parking.

Pier 36 has an approximately 45,000 sq. ft. shed building on it and an apron (open area along a pier's perimeter) that surrounds it that ranges in width from 10 feet on the north to 80 feet on the south. The pier is occupied by Delancey Street Movers, which uses it for vehicle storage and warehousing. The marginal wharf area is made of steel reinforced concrete pilings and a steel and concrete deck overlaid with asphalt. There is a one-foot by one-foot wooden curb along the edge of the wharf nearest the water. The marginal wharf is largely unused, but some vehicle parking does occur on its eastern side.

C. PROJECT SPONSORS' OBJECTIVES

SAN FRANCISCO CRUISE TERMINAL MIXED-USE PROJECT

The project sponsor, the Port of San Francisco with the San Francisco Cruise Terminal, LLC, seeks to achieve the following objectives by undertaking this project:

- To provide a vibrant year-round mixed use development between Downtown and the Ballpark anchored by San Francisco's new Cruise Terminal with large publicly accessible open spaces incorporating pedestrian streets, plazas, a main lagoon feature and waterfront promenades and aprons providing an extension of the PortWalk to the perimeter of the pier.
- To create the new state-of-the-art James R. Herman International Cruise Terminal facility to enhance San Francisco's reputation as a world class city and tourist destination and accommodate current and projected cruise industry growth.
- To provide berthing facilities for waterborne transit, including ferries and water taxis and for commercial excursion and recreational boats.
- To provide waterfront commercial, recreational, retail and office uses and public access to create an authentic, urban San Francisco environment to attract the public to enjoy and appreciate San Francisco Bay on a year round basis, both day and night, and to distinguish San Francisco as a unique cruise destination.
- To provide commercial recreation opportunities including retail, assembly, entertainment and restaurants to meet the needs of the growing South of Market and South Beach residential community.

- To provide modern maritime and non-maritime office space to extend the fabric of the surrounding neighborhood onto the pier.
- To create an authentic urban experience for visitors and workers alike and ensure adequate patronage of the retail and commercial recreation uses.
- To ensure compatible uses on Seawall Lot 330, such as residential uses at a variety of income levels or a hotel, that assure overall financial viability of the project.
- To create a development with a distinctive architectural style for the South Beach Waterfront while respecting the scale of neighboring residential communities and further enhancing the South Beach environment.
- To provide parking and transportation/circulation facilities on the waterside to minimize the traffic impacts on the adjacent residential community.
- To create a financially sound development project which enhances the Port's financial position over the term of this leasehold.
- To create additional affordable and market-rate housing in the South Beach area.

BRANNAN STREET WHARF PROJECT

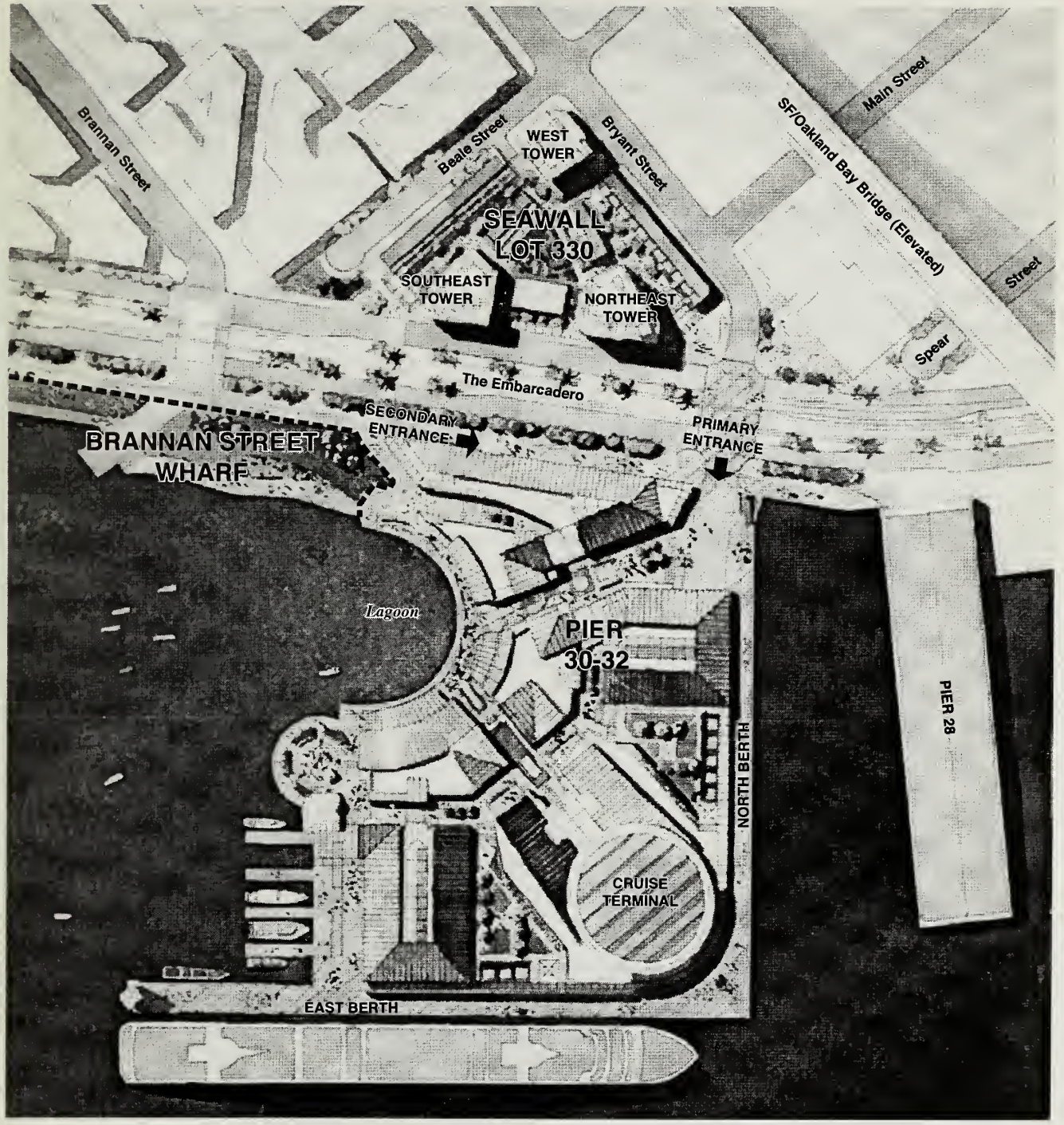
The project sponsor, the Port of San Francisco, seeks to achieve the following objectives by undertaking this project:

- To remove Pier 36 to create an open water basin.
- To create a major waterfront park that reflects a public planning process in the areas of former Pier 34 and Pier 36 to serve the South Beach neighborhood, San Francisco, and the region.
- To design the park so that it integrates well with the existing Herb Caen Way pedestrian walkway along The Embarcadero and maintains a distinct public character, yet complements public access areas in the Cruise Terminal project.
- To provide opportunities for public access to and views of the Bay.

D. PROJECT CHARACTERISTICS AND APPROVALS REQUIRED

PROJECT CHARACTERISTICS

Throughout this document, the San Francisco Cruise Terminal Mixed-Use Project will be referred to as the "Cruise Terminal project" and the Brannan Street Wharf Project will be referred to as the "Wharf project." See Figure 2 for a combined site plan and Table 1 for a summary of the components of each project.



SOURCE: SOM

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Figure 2
Cruise Terminal Project Site Plan
(with Brannan Street Wharf)

TABLE 1
SUMMARY OF PROJECT CHARACTERISTICS

Proposed Use	Description	Area (gsf)
CRUISE TERMINAL PROJECT		
Pier 30-32	*571,988 sf - Existing site area*	
Cruise Terminal	Passenger Processing	100,000
Civic Space	Available during Off-Season	20-50,000
Office	Maritime and General	370,000[1]
Retail	Variety (see below)	220,000
General	Books, furniture, etc.	103,000
Grocery	One grocery market space	15,800
Restaurant	Numerous restaurant spaces	46,200
Entertainment	Music club, etc.	25,000
Cinema	Six screens	30,000
Public Open Space	Plazas, green areas, open water areas, etc.	300,000
Parking	450 spaces, bus and taxi area	285,000
Loading	9 spaces	---
Cruise Ship Berths	Two berths	---
Excursion Berths	Four berths for ferries, etc.	---
BUILDING AREA SUBTOTAL	---	**1,275,000**
Seawall Lot 330	*123,956 sf – Existing site area*	
Residential Units	350 units in eight buildings	445,000
Parking	350 spaces	127,000
Open Space	At grade and on third level	65,000
BUILDING AREA SUBTOTAL	---	**637,000**
BUILDING AREA TOTAL		**1,912,000**
BRANNAN STREET WHARF		
Existing Pier 36	Removal of pier	- 91,845
Existing Marginal Wharf Area	Repair of wharf area	25,000
Proposed Brannan Street Wharf	Passive Waterfront Open Space	57,000

[1] As provided for in Assembly Bill 1389, 325,000 net sq. ft. is allowed, which is equivalent to approximately 370,000 gross square feet (gsf).

SAN FRANCISCO CRUISE TERMINAL MIXED-USE PROJECT

The sponsor of the Cruise Terminal project proposes a development program with two principal components: a mixed-use/cruise terminal component proposed for Pier 30-32 and a residential component proposed for Seawall Lot 330. Each component is described separately below.

Pier 30-32 - Mixed-Use/Cruise Terminal Program

The project sponsor proposes a partial reconfiguration and structural upgrade of the Pier 30-32 structure, upon which would be constructed a new cruise terminal, a series of retail and office buildings, 450 parking spaces, and accessory open spaces. A berthing area for ferry and excursion boats, transient recreational boat berths, and waterfront open space would also be constructed adjacent to the pier. The project would include a collection of buildings of varying sizes constructed over a podium of parking and oriented around two ground-level plazas and interconnected pedestrian walkways (see Figures 3 to 9 for floor plans, elevations, and a perspective rendering of this project). The project architects for the pier buildings are Skidmore, Owings, and Merrill and the Jerde Partnership International. The elements of this component are as follows:

- Cruise Terminal: Construction of a two-level, 100,000 gross square-foot (gsf) structure that would serve as San Francisco's main terminal servicing cruise ships calling at the Port. Passengers departing from and arriving in San Francisco would embark/disembark in this facility, where ticketing and baggage services would also occur. Approximately 20,000-50,000 gsf of the terminal's space would be available to the public for civic and special events during the off-season, when ships are not in port. The terminal would be served by an 850-foot long berth along the pier's northern edge and a 1,000-foot long berth along the pier's eastern edge (created by a 365-foot long and maximum 50-foot wide southern extension of the existing pier). Maintenance dredging would be required to provide adequate depth at the northern berth. The eastern berth would require minimal maintenance dredging due to the scouring effects of currents on the berth areas. The berths and terminal would be designed to be used simultaneously by two cruise ships.

  With construction of the proposed terminal, the current approximately 40 annual cruise vessel calls accommodated elsewhere at the Port of San Francisco (primarily at Pier 35), would predominantly shift to Pier 30-32 (except when three vessels are simultaneously in port and Pier 35 would be needed). The proposed facility would be expected to serve about 69 calls (approximately 80,000 distinct passengers) in its first year of proposed operation in 2004, steadily increasing to as many as 107 calls (approximately 145,000 distinct passengers) by the year 2020.[1] It is expected that approximately two-thirds of the ships that would call on the proposed terminal would use San Francisco as its homeport.[2]

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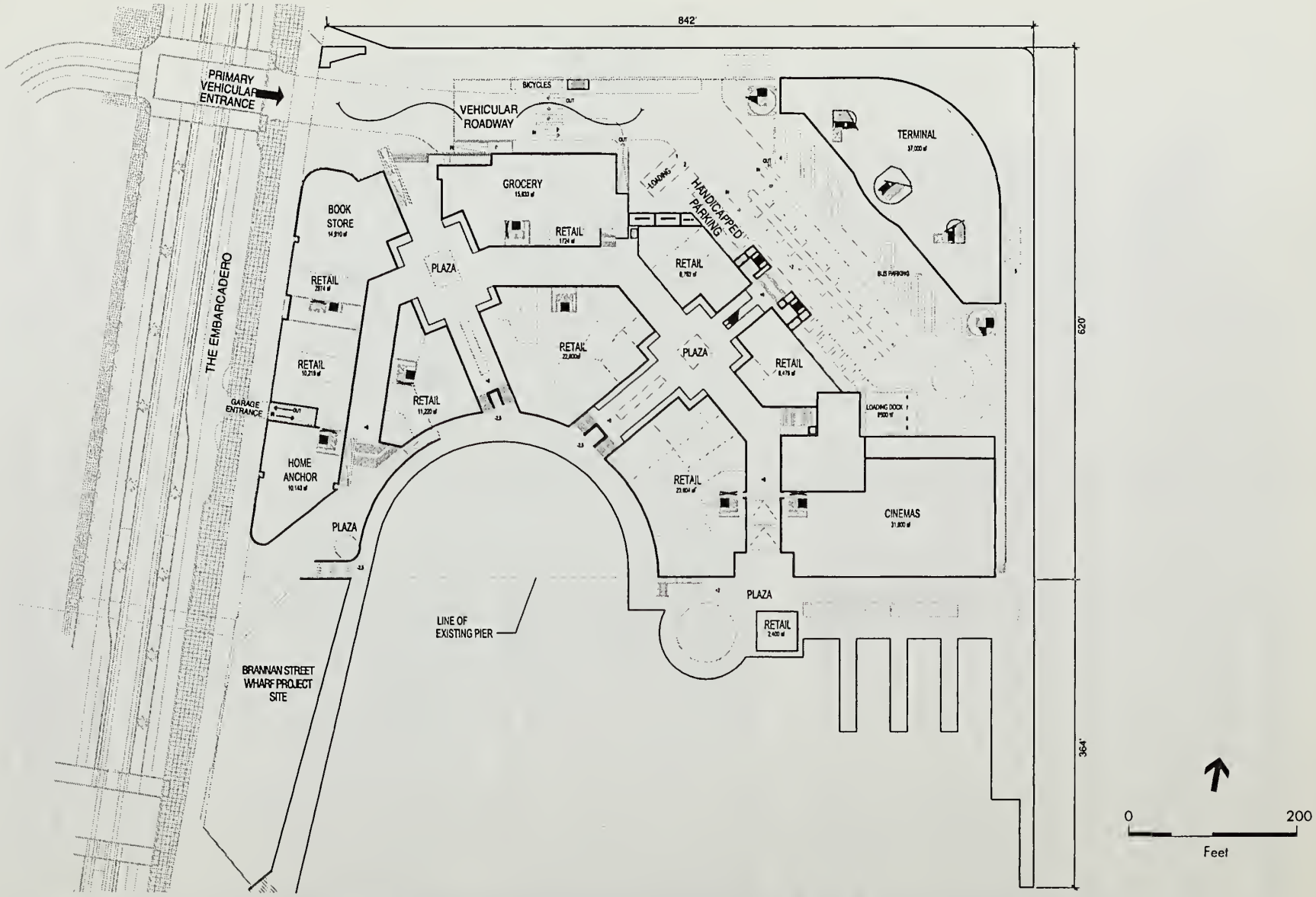
[1] The average number of passengers per ship would be expected to increase as new larger ships replace the older smaller vessels currently being used. The number of expected future ship calls are as follows: 76 in 2006, 83 in 2008, 97 in 2010, 98 in 2012, 100 in 2014, 103 in 2016, and 105 in 2018.

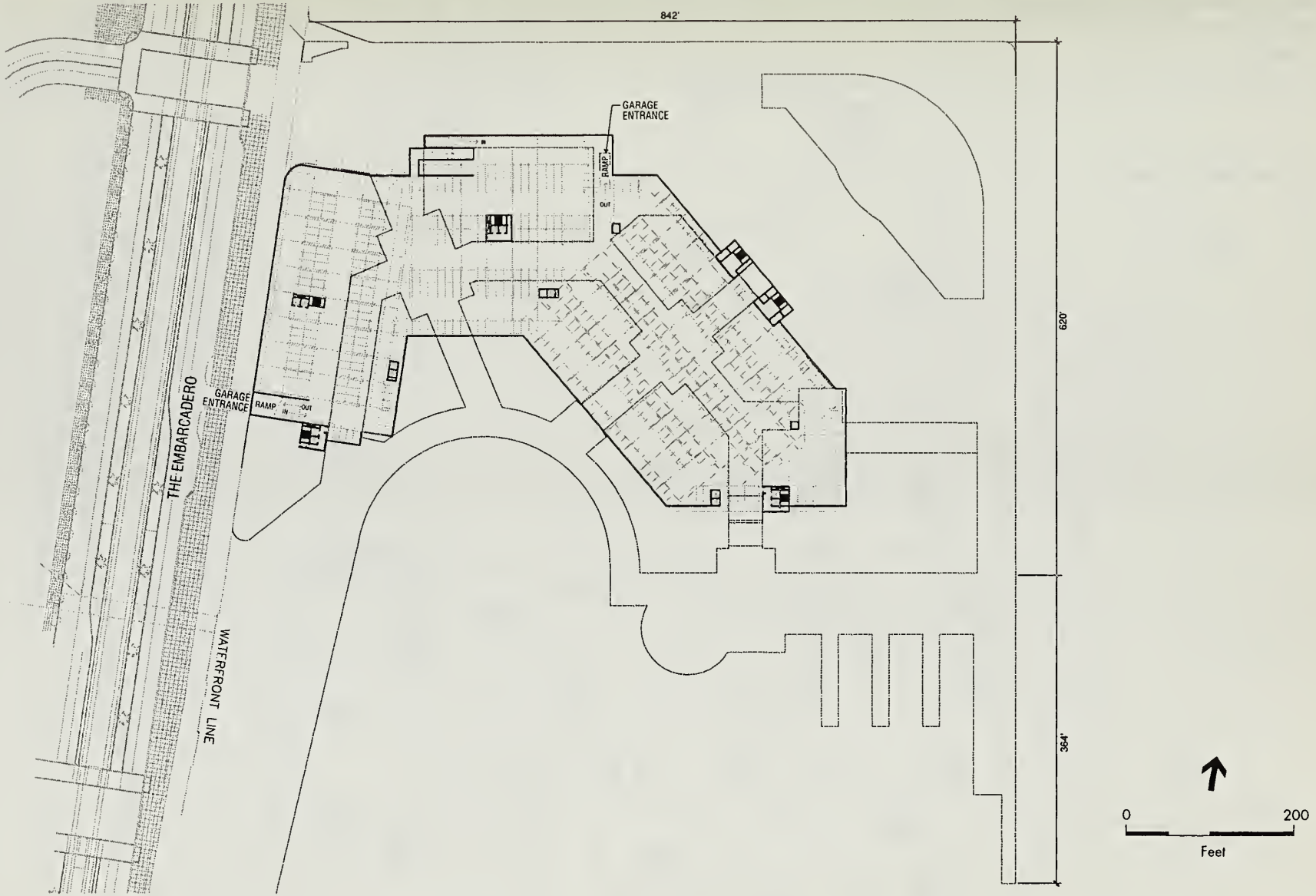
[2] A homeport call is one where passengers begin and end their trip, as opposed to a "transit call," which is a stop along a route where passengers can disembark and then return to the ship.



SOURCE: SOM/JPI Architects

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 3
Cruise Terminal Project
Pier 30-32 - First Level Plan



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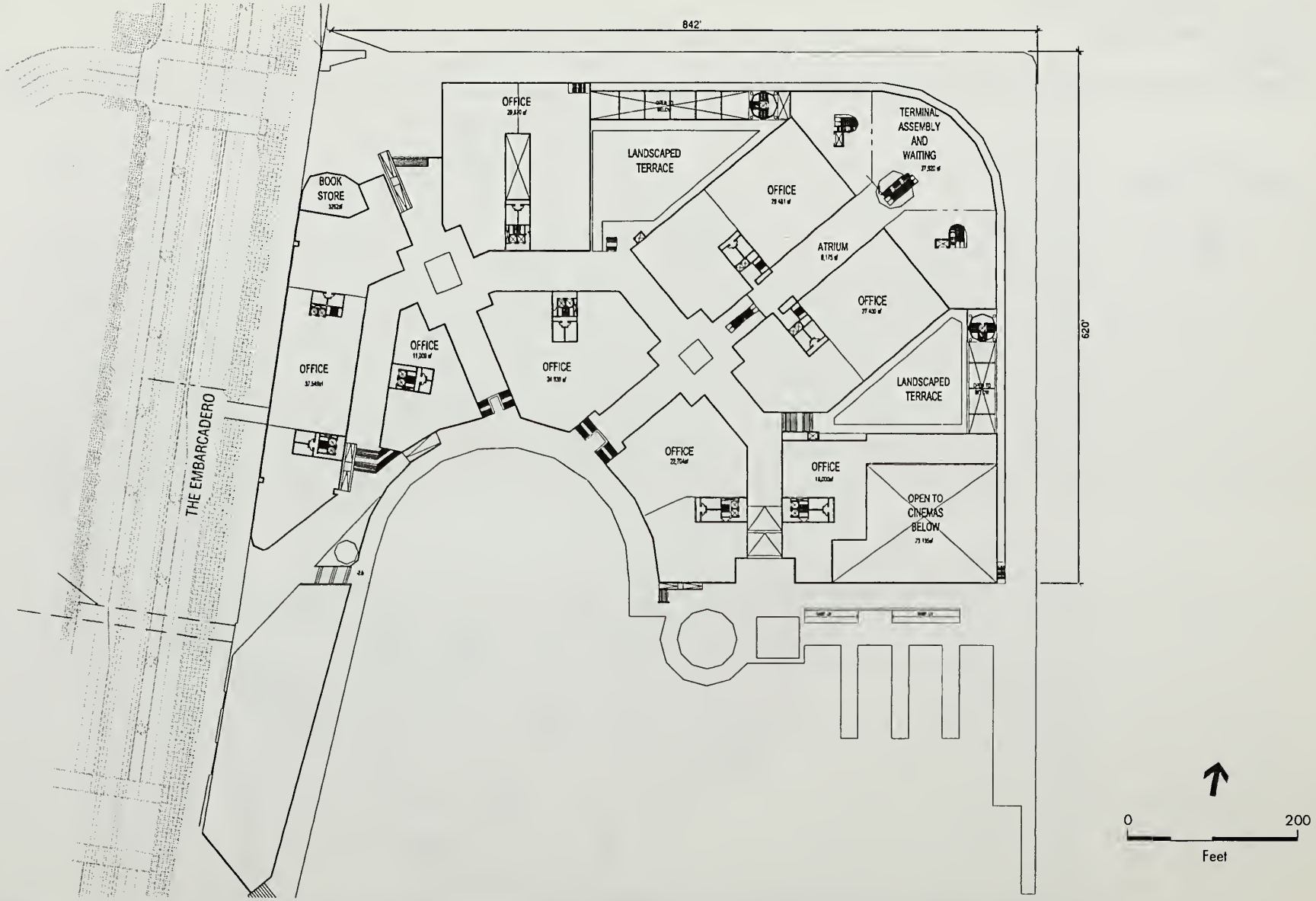
SOURCE: SOM/JPI Architects

Figure 4
Cruise Terminal Project
Pier 30-32 - Parking Level Plan



SOURCE: SOM/JPI Architects

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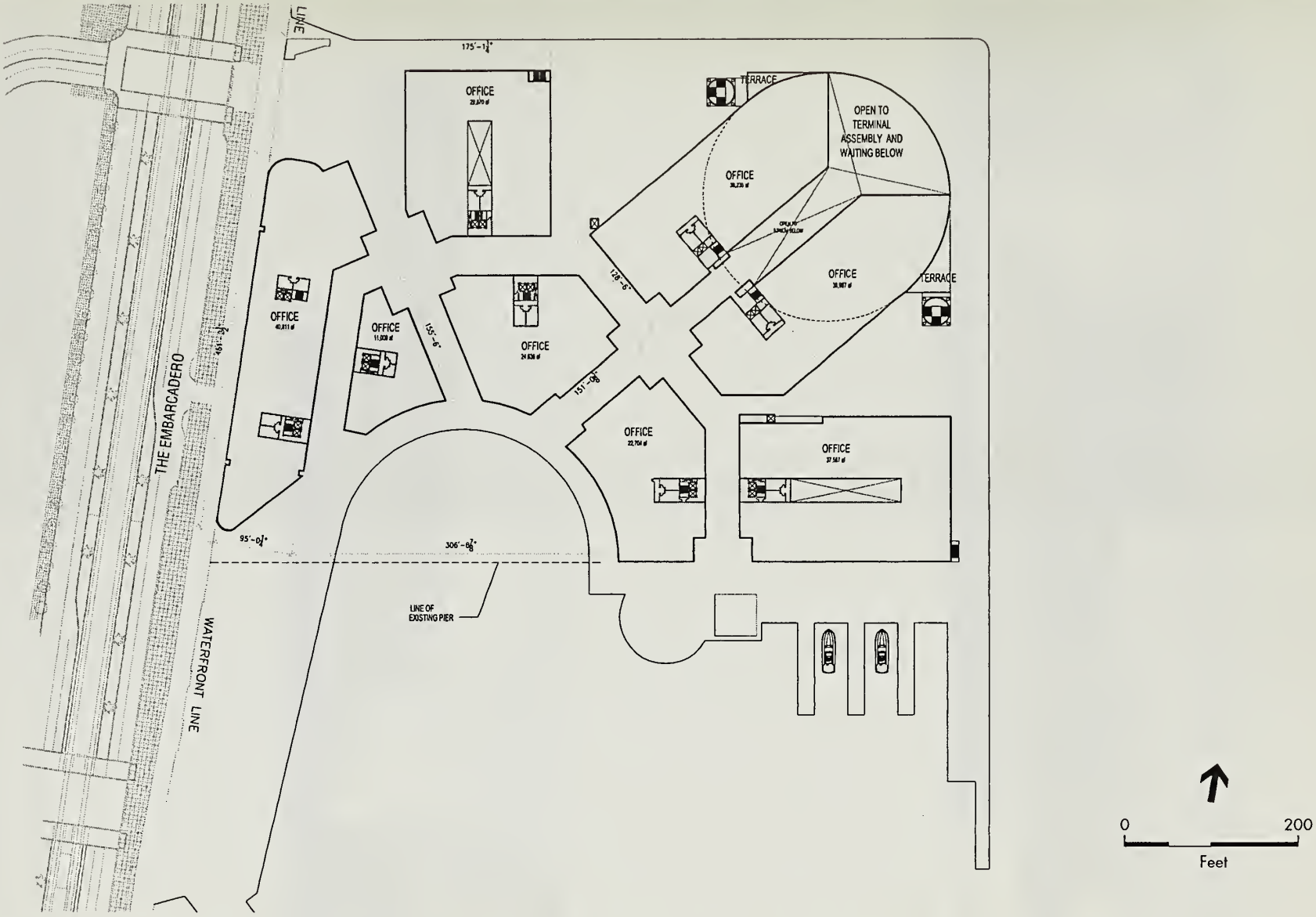
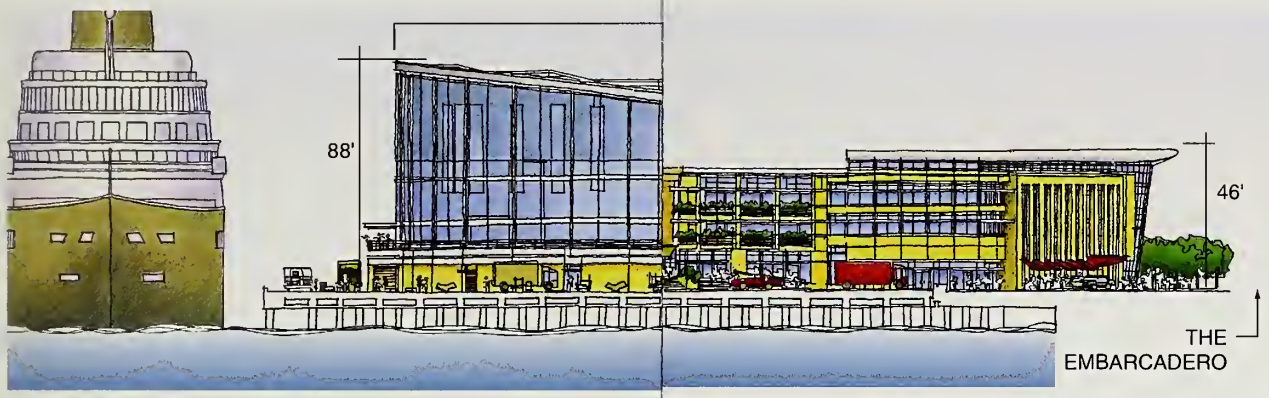
Figure 5
Cruise Terminal Project
Pier 30-32 - Second Level Plan

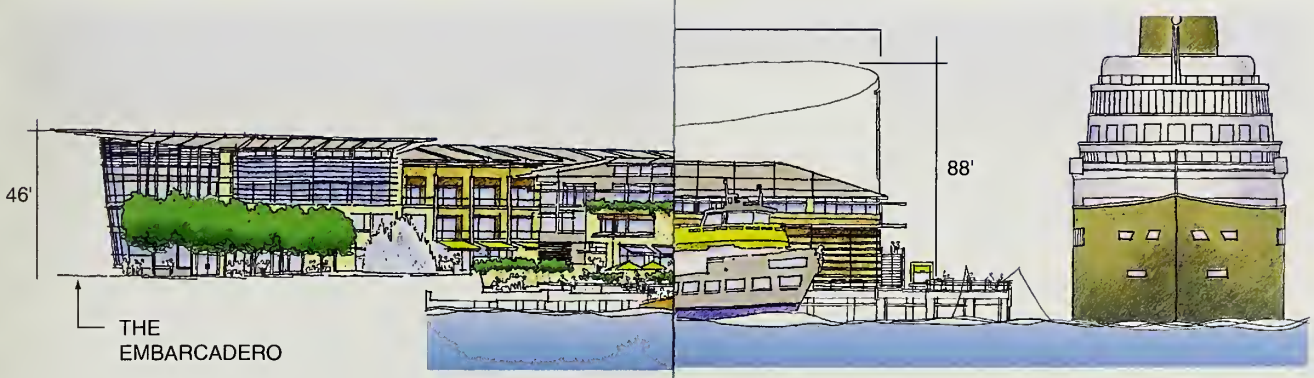


SOURCE: SOM/JPI Architects

Figure 6
Cruise Terminal Project
Pier 30-32 - Third Level Plan



North Elevation

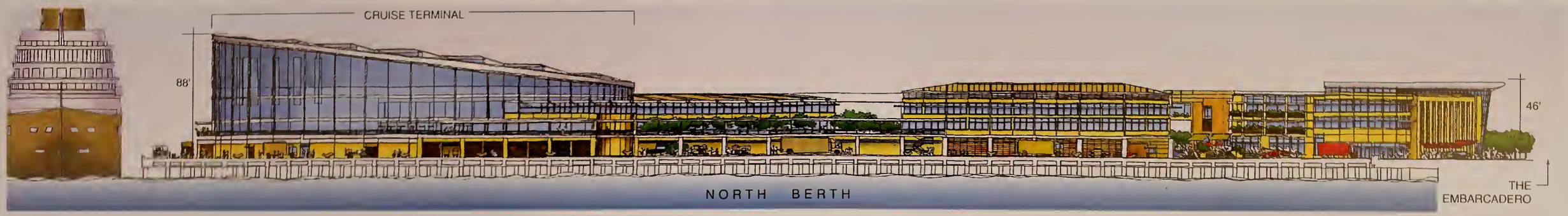


South Elevation

SOURCE: Skidmore, Owings + Merrill; Jerde Partnership

Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 7
Cruise Terminal Project
Piers 30-32 - North and South Elevations



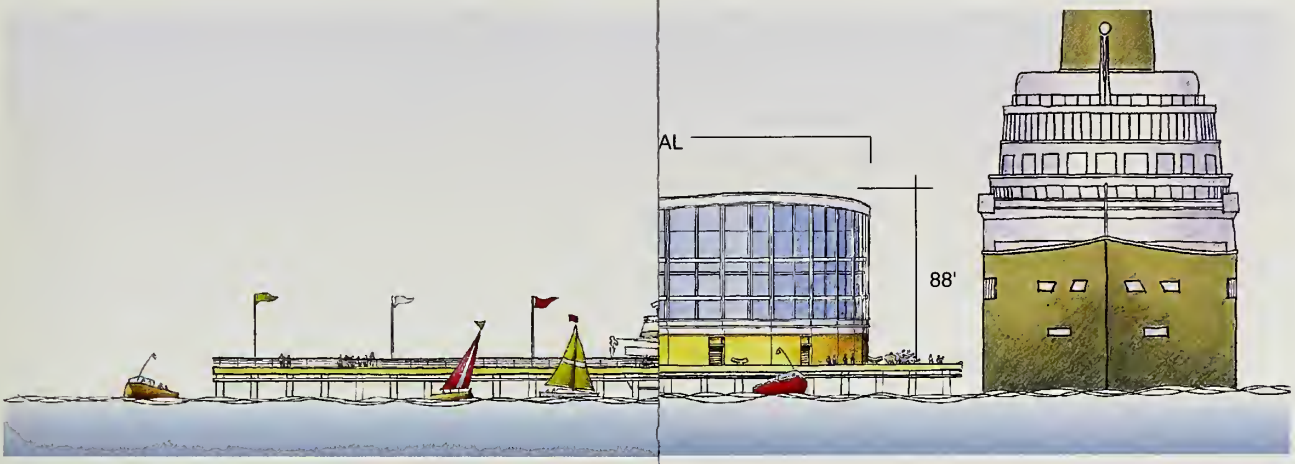
North Elevation

South Elevation

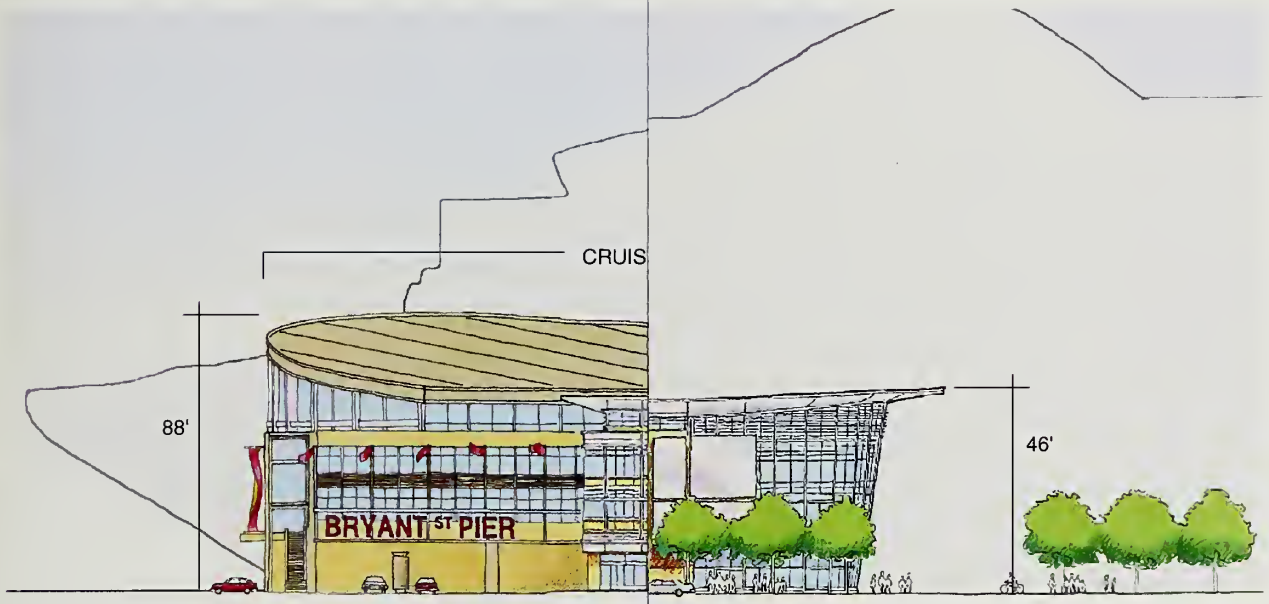
SOURCE: Skidmore, Owings + Merrill; Jerde Partnership

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 7
Cruise Terminal Project
Piers 30-32 - North and South Elevations



East Elevation



West Elevation

SOURCE: Skidmore, Owings + Merrill; Jerde Partnership

Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 8

Cruise Terminal Project

Piers 30-32 - East and West Elevations

East Elevation

West Elevation

SOURCE: Skidmore, Owings + Merrill; Jerde Partnership

Figure 8
Cruise Terminal Project
Piers 30-32 - East and West Elevations

Looking Northeast From Brannan Street Wharf

SOURCE: SOM/JPI Architects

Figure 9
Cruise Terminal Project
Piers 30-32 - Perspective Rendering

The terminal would be located at the northeastern corner of the pier and would be primarily 46 feet tall. The unoccupied architectural element of the terminal roof would reach a height of 88 feet, as is allowable under Planning Code Section 260. Passengers and visitors to the terminal would enter on the first level via an atrium on the building's southern side, then take escalators to the second level for ticketing and boarding. The terminal's ground level would be devoted primarily to terminal operations and ship servicing, while the second level would function as the primary public space and would offer expansive views of the bay through floor-to-ceiling north and east facing windows (see Figures 3 and 4).

- Retail/Entertainment: The project would provide a total of 220,000 gsf of retail/entertainment space situated throughout the pier. As currently envisioned, the project would include neighborhood-serving retail, including an approximately 16,000 gsf grocery store, a 15,000 gsf bookstore, a 10,000 gsf home furnishings store, and other smaller spaces along The Embarcadero frontage; multiple restaurants situated along the proposed lagoon (south side of pier); a six-screen cinema at the southeastern corner of the pier; and a variety of other yet-to-be-identified retail entertainment venues along either side of the project's pedestrian walkways (see Figure 3).

- Commercial Office: A total of 370,000 gsf (325,000 net square feet) of office space for maritime and other private business would be provided on the second and third levels of the seven buildings on the pier, including space developed in conjunction with and as part of the terminal building. The buildings are two and three stories in height, and the size and configuration of each of the floor plates would vary, but would range from approximately 11,000 gsf to 40,000 gsf (see Figures 5 and 6).

- Parking and Circulation: The primary vehicular entry/exit point for the pier would be from The Embarcadero at its intersection with Bryant Street. This entry/exit would connect with a four lane roadway that would run along the northern edge of the pier and turn south in front of the terminal, ending with a bus turnaround at the southern end of the terminal. The roadway would provide access directly to both the parking garage and the terminal. Secondary access to the pier would be from The Embarcadero between Bryant and Brannan Streets and would lead directly into the project's parking garage. The secondary entry/exit would serve only northbound traffic on The Embarcadero. Located directly in front of the terminal would be diagonal parking spaces for nine tour buses. In front of the terminal, the roadway would have a median along which additional buses could wait and passengers could be picked up or dropped off by taxis and private vehicles.

  The central portion of this component of the proposed project would be constructed over a one-level, 450-space parking garage (see Figure 4) that would be approximately four feet lower than the existing level of the pier deck. The garage would be served by two entry/exit ramps. The pier would include 19 handicap parking spaces, parking for 23 bicycles, and shower and locker facilities. A total of nine truck loading spaces would be provided along the eastern side of the grocery store building and near the southern end of the terminal.

- Open Space/Public Access Amenities: The open space program for the pier would include a variety of components, including plazas, terraces, aprons, and a lagoon. The two rectangular paved plazas would be situated amidst the retail/office buildings on the site and would connect to the internal pedestrian walkways. Two large landscaped terraces, each approximately 20,000 sq. ft., would be located on the second level, one to the south of the terminal near the eastern edge of the pier and one to the west of the terminal near the northern edge of the pier. Providing perimeter access to the entire pier would be 50-foot wide berthing aprons that would surround and extend beyond the terminal. The aprons would generally be open to the public, but would be closed for safety purposes when ships are in port. A large lagoon would be created on the southern side of the

existing pier by removing a semicircular portion of the pier. A 30-foot wide apron/walkway would surround the lagoon. This portion of the project would also have four berths for ferry/excursion vessels and berths for recreational boats.

- Red's Java House: The existing 1,500 sq. ft. Red's Java House restaurant would remain in its current location.

- Pier Seismic and Structural Upgrade: Where required, the existing concrete piles would be repaired, which would involve the removal of marine growth and loose materials, installation of new reinforcing steel around the exterior of the pile, securing formwork around the pile, and then pumping of a cement-based grout (from a machine on the pier deck) into the formwork. The work would be performed in the water by divers.

  Pieces of the pier deck would be removed to create the lagoon, allow for the installation of new piles, and to create the parking garage. Piles requiring demolition would be removed by a barge-mounted crane. Removed deck and pile material would be transported by truck for offsite recycling. New steel piles would be installed to provide seismic restraint for the pier, while new concrete piles would be driven for the pier extension. New piles would be driven from either land-based pile-driving rigs mounted on the existing pier deck or from barge-mounted piling rigs. A new concrete deck would be installed atop the existing deck and on a timber and steel formwork for the pier expansion. No net increase in the water area covered by pile-supported structures would occur.

Seawall Lot 330 - Residential Program

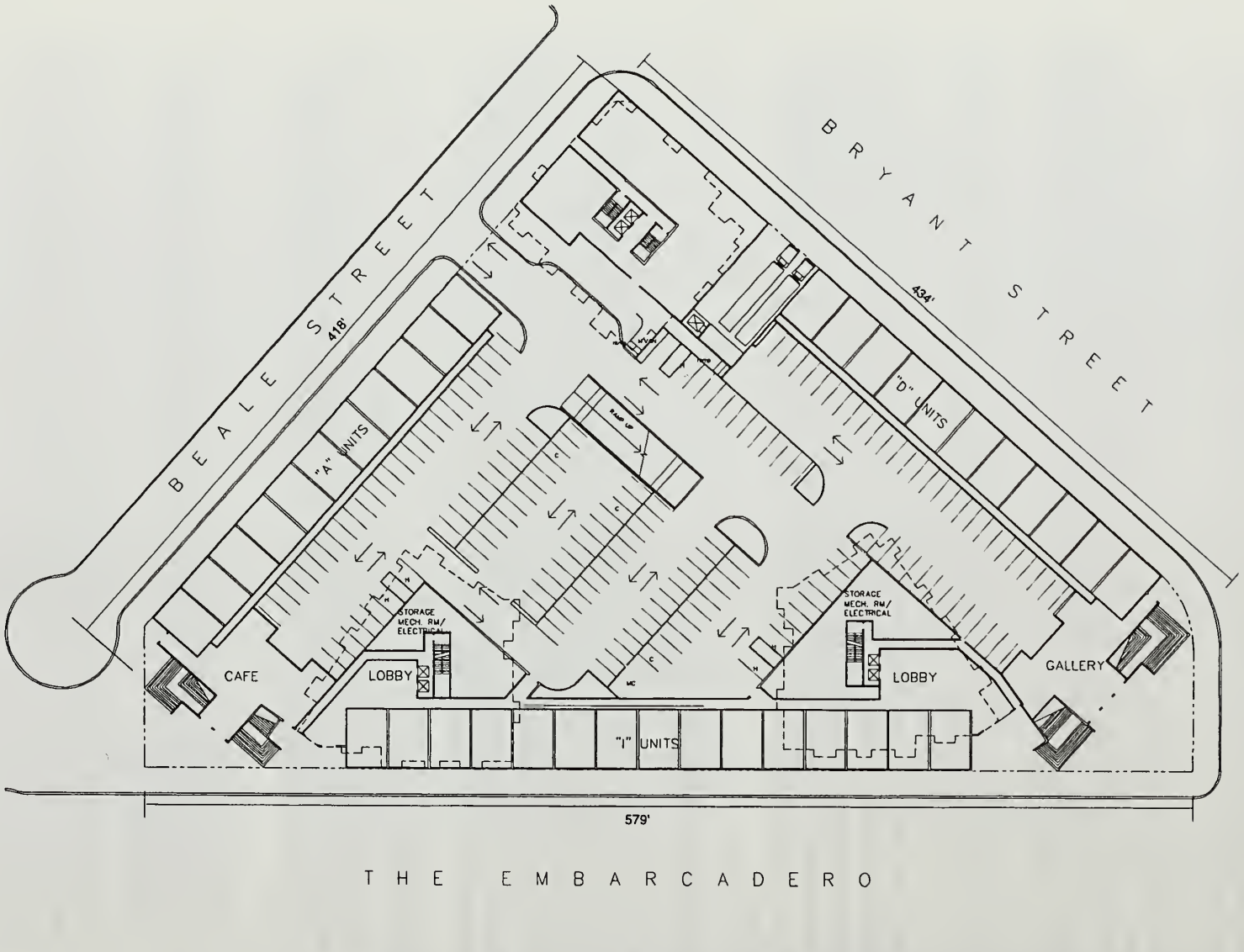
The project sponsor proposes construction of a residential condominium complex with a total of 350 units on the site that is currently a paved public parking lot. The proposed project would include construction of eight buildings, most of which would sit atop a two-level parking garage (see Figures 10 through 16 for floor plans, elevations, and a site plan). The complex would have a shared leasing office, parking garage, and tenant amenities. The project architects for the seawall lot buildings are Moore, Ruble, Yudell and Fisher Friedman Associates. The elements of this component are as follows:

- Street Level Units:

  - *Beale Street Frontage*: Construction of a five-story, 60-foot tall structure that would consist of five levels of residential units. The lower units would be accessed from Beale Street, while the upper units would be accessed from the site's open space on the third/podium level.

  - *Bryant Street Frontage*: Construction of a six-story, nearly 70-foot tall structure that would consist of six levels of residential units. The lower units would be accessed from Bryant Street, while the upper units would be accessed from the site's open space on the third/podium level.

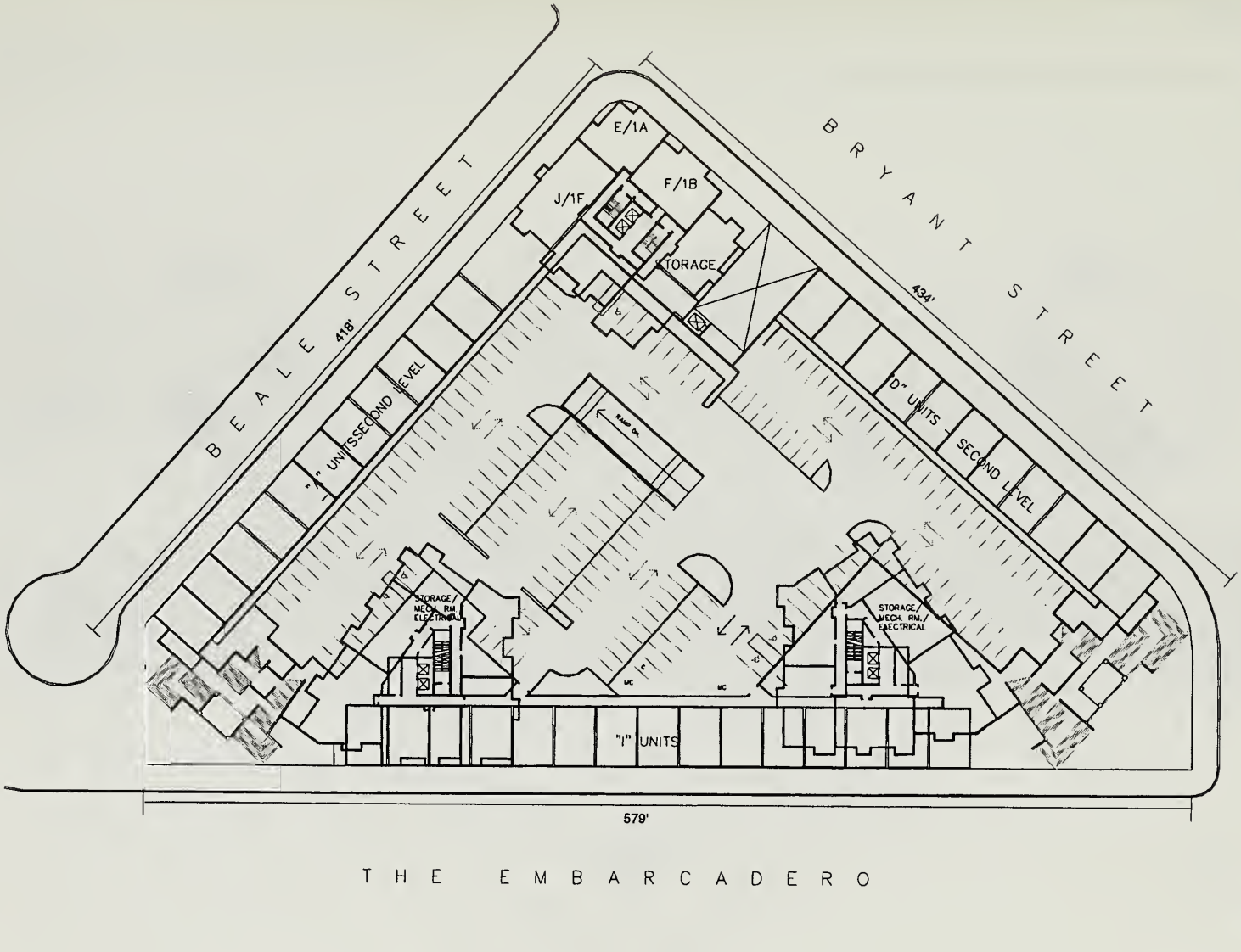
  - *The Embarcadero Frontage*: Construction of a two-story 25-foot tall structure that would consist of one level of two-floor units. The units would be accessed from The Embarcadero.



SOURCE: Moore Ruble Yudell Architects; Fisher Friedman Associates

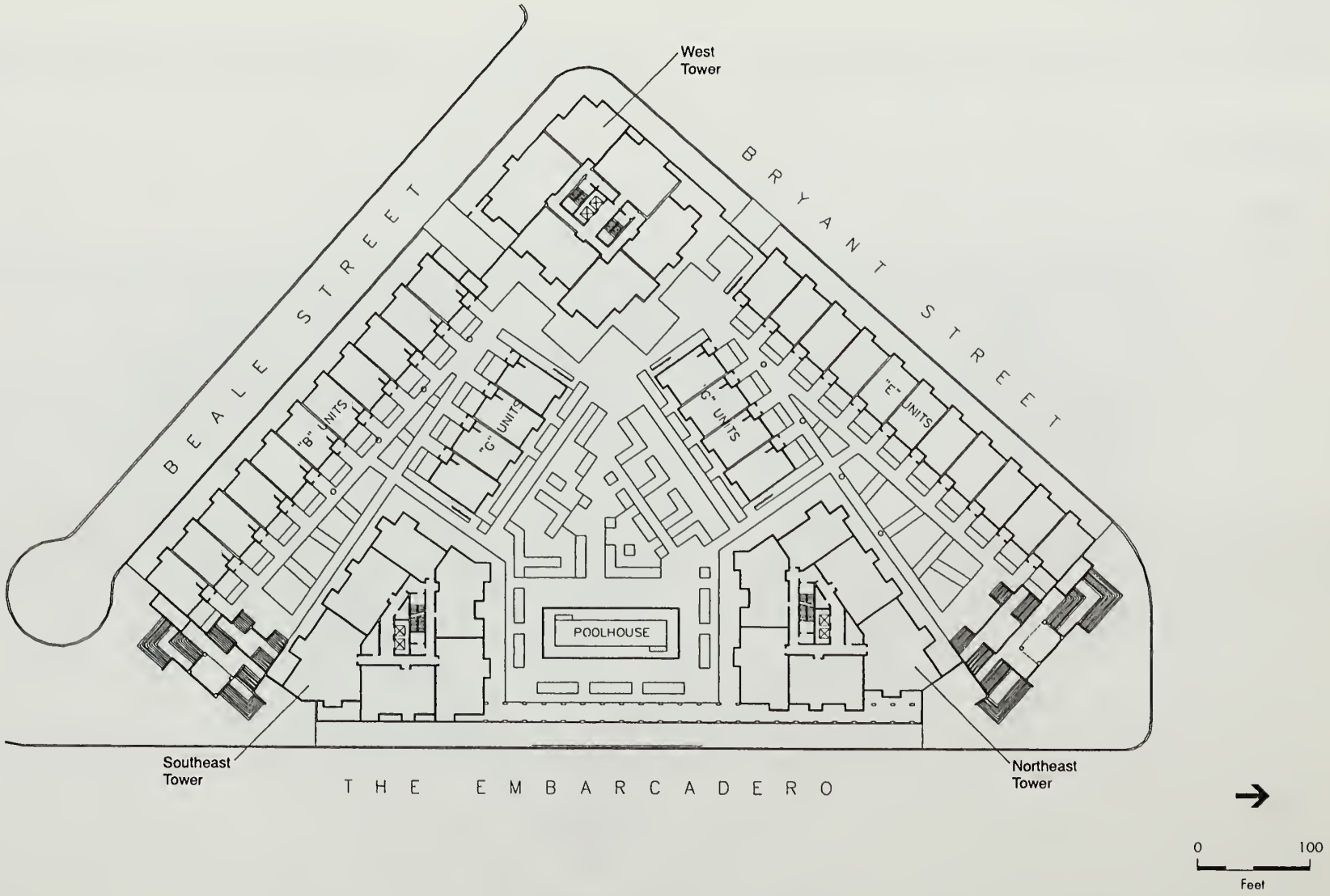
SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 10
Cruise Terminal Project
Seawall Lot - Level One Plan



SOURCE: Moore Ruble Yudell Architects; Fisher Friedman Associates

Figure 11
Cruise Terminal Project
Seawall Lot - Level Two Plan



SOURCE: Moore Ruble Yudell Architects; Fisher Friedman Associates

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 12
Cruise Terminal Project
Seawall Lot - Level Three Plan

SOURCE: Moore Ruble Yudell Architects; Fisher Friedman Associates

Figure 13
Cruise Terminal Project
Seawall Lot - The Embarcadero Elevation

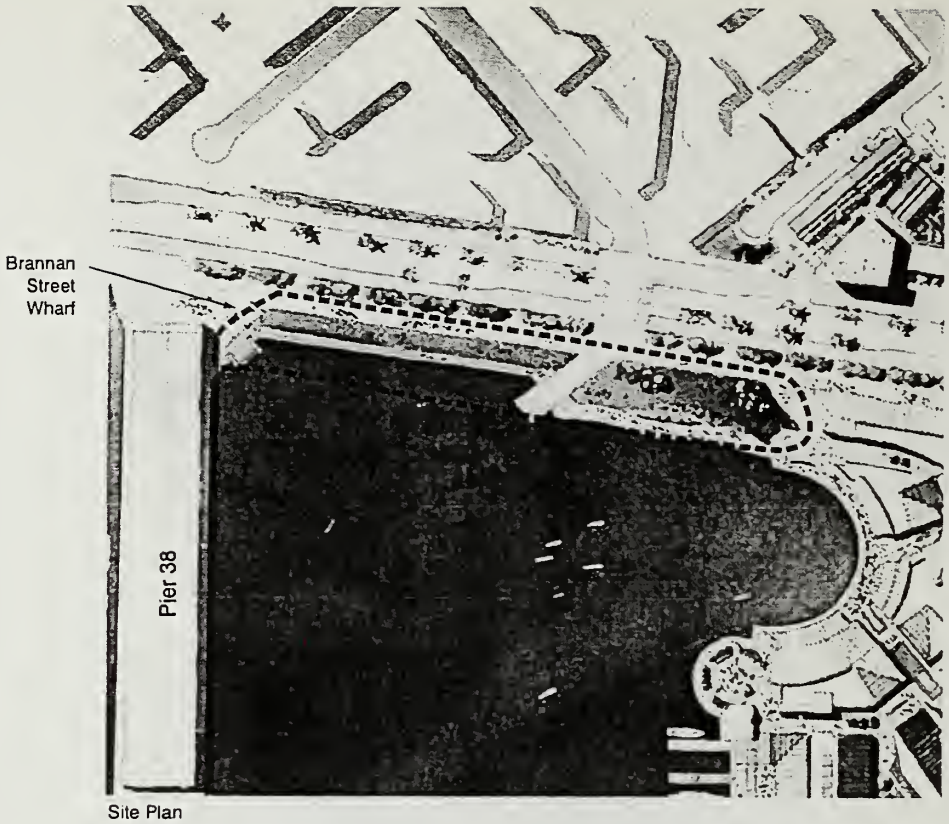
SOURCE: MRY/FFA Architects

Figure 14
Cruise Terminal Project
Seawall Lot - Beale Street Elevation

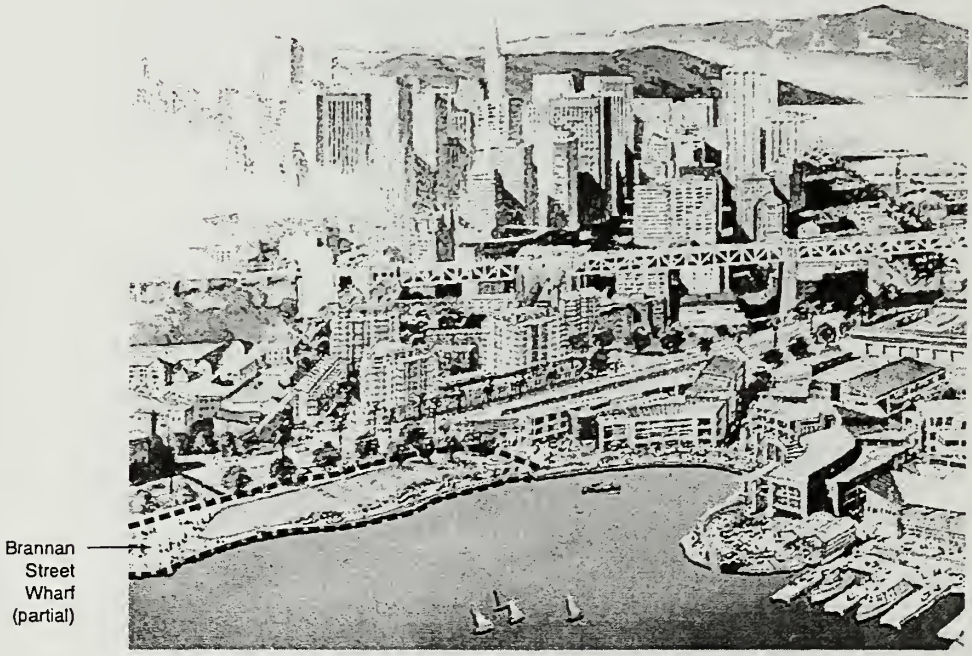
SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

SOURCE: Moore Ruble Yudell Architects; Fisher Friedman Associates

Figure 15
Cruise Terminal Project
Seawall Lot - Bryant Street Elevation



Site Plan



Perspective Rendering of Wharf Project with Cruise Terminal Project

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

SOURCE: SOM

Figure 16
Brannan Street Wharf
Project Site Plan

- Tower Units:
  - *West Tower*: Construction of a 17-story, 187-foot tall residential structure with 17 six-unit levels. The ground floor would include a leasing office and concierge service. This structure would be constructed at grade, rather than atop the garage, and would be located at the intersection of Beale and Bryant Streets.
  - *Southeast Corner Tower*: Construction of an 11-story, 105-foot tall residential structure with nine six-unit levels. This structure would be constructed atop the garage podium, thus its first level would be on level three of the project. This tower would be situated along The Embarcadero near Beale Street.
  - *Northeast Corner Tower*: Construction of a 13-story, 130-foot tall residential structure with 11 six-unit levels. This structure would be constructed atop the garage podium, thus its first level would be on level three of the project. This tower would be situated along The Embarcadero near Bryant Street.
- Podium Units: Construction of two three-story, 30-foot tall buildings near the center of the site atop the garage podium. Each building would have one one-floor level and one two-floor level. Each floor would have four units.
- Parking and Circulation: Vehicular access to the site would be exclusively from Beale Street. Vehicles would enter directly into the lower level of the two-level, 350-space parking garage. The garage would provide 14 handicap parking spaces and would accommodate parking for 18 bicycle spaces. Access from the garage to two podium-level lobbies would be through elevator/stair cores located along the eastern edge of the site near The Embarcadero. Two full-size truck loading docks would be located along and accessed from Bryant Street.
- Open Space: Common open space for use by residents of the project would be situated on the podium level and would include a swimming pool and a variety of hardscape and green spaces. The corners of the site at The Embarcadero/Beale Street and The Embarcadero/Bryant Street would also be developed as open areas.

BRANNAN STREET WHARF PROJECT

The Wharf project would involve removal of Pier 36 (91,845 sq. ft.), located immediately to the south of Pier 30-32; removal of approximately 10,000 sq. ft. of marginal wharf (between the southern edges of Pier 30-32 and Pier 38); and repair of approximately 15,000 sq. ft. of marginal wharf to create a new public open space to be known as the Brannan Street Wharf. The new open space would be 600 feet long (parallel to The Embarcadero) and 95 feet wide, and would require construction of 45,000 sq. ft. of new pile-supported wharf area. As called for in the BCDC's *San Francisco Waterfront Special Area Plan* (July, 2000) and the Port's Waterfront Plan (as amended July, 2000), the new waterfront park would be at least 57,000 sq. ft. and would extend at least 600 feet along The Embarcadero, bayward of and not including Herb Caen Way. The park would potentially be expanded up to 1,000 feet in length to include the marginal wharf areas to the north and south (between Piers 30-32 and 36, and between Piers 36 and 38). If the park is not expanded to include those marginal wharf areas, the wharves would be removed to create open water.

According to the project sponsor, the park would be intended as a major public open space that would reflect the character and needs of the adjacent South Beach neighborhood and provide access to the waterfront for residents and visitors to the area, establish a unique activity center, provide a respite from adjacent intensively developed areas, accommodate a variety of passive recreational activities, and serve as both a local and regional destination. In contrast to the Cruise Terminal project, which would be constructed by San Francisco Cruise Terminal LLC under a development agreement with the Port of San Francisco, this project would be implemented by the Port on a separate timeline as a separate project.

An urban design team led by Sasaki and Associates has been hired by the Port to prepare the conceptual design for the Brannan Street Wharf. Although a conceptual design has been prepared and is depicted herein, the precise layout and design would be developed through a community design process. (It should be noted that typical design changes would not be expected to affect this SEIR's assessment of the project's potential physical impacts on the environment.) The park's design would accommodate viewing and seating, and could include fountains, interpretive signs, a small amphitheater, areas for activities such as chess and checkers, fish cleaning facilities, public art, and appropriate site furnishings. Other possible park uses would be informal small playfields for volleyball, a children's play area, or picnic areas. Temporary (commonly referred to as "transient") boat tie-ups, a landing and launch area for kayaks, and other related water-oriented recreation facilities may also be provided.

CONSTRUCTION TIMETABLE AND COST

CRUISE TERMINAL PROJECT

Construction of the residential component of the project on Seawall Lot 330 would take about 19 months for complete build-out, with occupancy planned for July, 2004. The proposed mixed-use/cruise terminal component of the project on Pier 30-32 would take approximately 25 months to build, with occupancy planned for July, 2004. Construction cost, including renovation of the pier, is estimated at $263 million.

WHARF PROJECT

Construction of the Brannan Street Wharf is planned to be completed no later than 2009, including removal of Pier 36. Pier 34 was removed in mid-2001. According to the requirements of Assembly Bill (AB) 1389,[3] the Port must complete Phase I of the park (in the area of former Pier 34 and to the north) contemporaneously with the construction of the Cruise Terminal project and must remove Pier 36 and complete the remainder of the Wharf project within five years of the start of construction of the Cruise Terminal project. The project would likely be funded primarily by the Port from its capital accounts, but could also make use of grant funds from State agencies such as the California Coastal Conservancy. The precise construction cost for this project has yet to be determined.

[3] California AB 1389, as amended in the State Senate September 14, 2001, is described below in Section III.A, Land Use, Plans and Policies.

APPROVALS REQUIRED

CRUISE TERMINAL PROJECT

City Planning Commission/Planning Department

- Certification of the Final Supplemental Environmental Impact Report.
- Adoption of CEQA Findings and Mitigation Monitoring Program.
- Recommendation to the Board of Supervisors for approval of Zoning Map amendment for new Height and Bulk classifications for the seawall lot and pier site and conforming amendments to the Northeastern Waterfront Area Plan of the General Plan to allow for an exceedance of the height limits.
- Determination of consistency with Planning Code Section 101.1, Priority Planning Policies.
- Approval of off-street parking exemption under Section 161(f) for provision of less than Planning Code-required parking at Pier 30-32.
- Approval of exception to bulk limits for the seawall lot, pursuant to Planning Code Section 271.
- Approval of a height reclassification for the seawall lot to a 200-foot height limit.
- Approval of a Height and Bulk reclassification to 50-X for the pier.
- Conditional use authorization for the proposed residential use, per Planning Code Sections 215, 216, and 240.3.
- General Plan consistency determination for subdivision map for seawall lot condominiums.

Port of San Francisco

- Approval of design by Waterfront Design Advisory Committee, pursuant to Planing Code Section 240.
- Adoption of CEQA Findings and Mitigation Monitoring Program.
- Adoption of Findings Regarding Consistency of Project with Public Trust and Burton Act.
- Approval of exchange of trust restrictions from seawall lot to another site.
- Approval of Lease Disposition and Development Agreement (LDDA) and Master Lease, and approval of schematic design.
- Approval of sale of Seawall Lot 330.
- Issuance of demolition and building permits.

San Francisco Board of Supervisors

- Adoption of CEQA Findings and Mitigation Monitoring Program.
- Adoption of Findings Regarding Consistency of the seawall lot residential component with Planning Code Section 101.1 Priority Planning Policies.

- Adoption of Zoning Map amendment for new Height and Bulk classifications for the seawall lot and pier and General Plan amendments (Northeastern Waterfront Plan).
- Review and approval of Master Lease.
- Approval of Final Subdivision Map for seawall lot condominiums.
- Approval of sale of Seawall Lot 330.

San Francisco Department of Public Works

- Review and approval of subdivision map for seawall lot condominiums.

San Francisco Bay Conservation and Development Commission

- Major Permit Approval for the development of Pier 30-32.
- Minor amendments to the Port of San Francisco existing and subsequent maintenance dredging permits.

San Francisco Department of Public Health

- Approval of Site Mitigation Plan for Seawall Lot 330 in accordance with Article 22A of the San Francisco Health Code (Maher Ordinance).

State Lands Commission

- Confirmation of exchange of trust restrictions from seawall lot to another site to allow for residential development on the seawall lot.

Regional Water Quality Control Board

- Water quality certification under Section 401 of the Clean Water Act.
- Approval of soil remediation plan, if necessary.

U.S. Army Corps of Engineers

- Authorization for construction at Pier 30-32 pursuant to Section 10 of the Rivers and Harbors Act.
- Minor amendments to the Port of San Francisco existing and subsequent maintenance dredging permits.

U.S. Customs/Immigration and Naturalization Service/U.S. Department of Agriculture

- Consultation with Customs/INS/USDA.
- Approval of cruise terminal design and security services.

BRANNAN STREET WHARF

City Planning Commission/Planning Department

- Certification of the Final Supplemental Environmental Impact Report.

- Adoption of CEQA Findings and Mitigation Monitoring Program.

Port of San Francisco

- Approval of design by Waterfront Design Advisory Committee.
- Adoption of CEQA Findings and Mitigation Monitoring Program.
- Approval of expenditure of capital funds, development agreement, and lease.
- Approval of application for grant funds.
- Issuance of demolition and building permits.
- Approval of an agreement with BCDC that provides for funding, design, and construction of the project.

San Francisco Board of Supervisors

- Adoption of CEQA Findings and Mitigation Monitoring Program.
- Approval of expenditure of capital funds.
- Approval of application for grant funds.

San Francisco Bay Conservation and Development Commission

- Approval of Major Permit for pier removal and wharf construction.

Regional Water Quality Control Board

- Approval of pile removal and pile driving.

U.S. Army Corps of Engineers

- Authorization for construction under Section 10 of the Rivers and Harbors Act of 1899.

GENERAL

Environmental plans and policies, like the Bay Area *'97 Clean Air Plan*, directly address physical environmental issues and/or contain standards or targets that must be met in order to preserve or improve specific components of the City's physical environment. The proposed projects would not obviously or substantially conflict with any such adopted environmental plan or policy.

This SEIR will undergo a public comment period as noted on the cover, including a public hearing before the Planning Commission on the Draft SEIR. Following the public comment period, responses to written and oral comments will be prepared and published in a Draft Summary of Comments and Responses document. The Draft SEIR will be revised as appropriate and, with the Draft Summary of Comments and Responses, presented to the Planning Commission for certification as to accuracy, objectivity, and completeness. No approvals or permits may be issued before the Final SEIR is certified.

CHAPTER III
ENVIRONMENTAL SETTING AND IMPACTS

A. LAND USE, PLANS, AND POLICIES

SETTING

EXISTING LAND USES

Project Vicinity

The Cruise Terminal and Brannan Street Wharf project sites are situated just south of the Bay Bridge along the waterfront in the northeastern part of San Francisco, on the eastern edge of the South of Market (SOMA) district. The adjacent South Beach neighborhood, which has undergone dramatic development in the past few years, is composed primarily of large-lot, multi-story residential and office buildings. Multi-family residential complexes, including Bayside Village and Portside Condominiums, are located across Beale and Bryant Streets from the site, respectively. The ground-floor Brannan Street frontage of Bayside Village is occupied by retail and restaurant uses. One block south of the site is the Delancey Street project, a subsidized residential development that includes retail and restaurant uses. The South Beach Marina Apartments, located at Townsend Street and The Embarcadero, are comprised of two 13-story towers and two low-rise (3- and 4-story) structures, with 414 residential apartments and ground-floor retail and restaurant uses. See Figure 17 for an aerial photo depicting land uses in the project vicinity.

Brannan Square, a mixed-use project currently under construction, is located at Brannan and Delancey Streets in the nearby South End Historic District and the Rincon Point-South Beach Redevelopment Area. When complete, Brannan Square will contain 242 residential units, 9 live/work units, 130,000 sq. ft. of multi-media space, and 5,000 sq. ft. of neighborhood-serving retail space. Other high-density residential uses have recently been completed in the vicinity, such as One Embarcadero South at 88 King Street, a residential development consisting of 13- and 14-story towers (140 feet tall) containing 233 dwelling units, and The Brannan, consisting of three towers (195 feet tall) and 130 units. Avalon Towers, located at Beale near Harrison Street in the Rincon Hill Mixed Use District, is a twin-tower residential high-rise (230 feet tall) consisting of 227 dwelling units.

Hills Plaza and Rincon Center, both large mixed-use developments, are located one to two blocks away to the north of the Bay Bridge. To the north of Pier 30-32 are Piers 28 and 26. Both piers are occupied by shed buildings; Pier 28 is primarily used for commercial fish processing and other industrial uses, while

SOURCE: Moore Ruble Yudell Architects; Fisher Friedman Associates

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 17
Project Vicinity Land Uses

Pier 26 is used primarily for fishing and marine storage, other storage, maritime support, and parking. Pacific Bell Park is located four blocks to the south of Pier 30-32 along The Embarcadero. The closest public open spaces to the project site are South Beach Park, a small green open space located where King Street transitions into The Embarcadero, and South Park, an oval green space located three blocks to the west between Second and Third Streets and Brannan and Bryant Streets. A new public open space to be named Rincon Park is planned for construction along the waterfront on the eastern side of The Embarcadero between Howard and Harrison Streets, one block north of the Bay Bridge.

Project Sites

Pier 30-32, which is constructed on pilings over the water, is largely vacant except for the 1,500 sq. ft. freestanding Red's Java House restaurant located in the northwestern corner of the pier along The Embarcadero. The vast majority of the pier is currently used for bus, truck, and auto parking, lay berthing, outdoor storage, and temporary special events. Seawall Lot 330 is paved and without structures, and is currently used for public parking, accommodating approximately 500 vehicles.

Located to the south of Pier 30-32 is Pier 36, which would be removed as part of the Brannan Street Wharf project. Pier 36 is partially occupied by a shed building that is used for storage and bus parking. Pier 34, previously located between Pier 30-32 and Pier 38, was removed in mid-2001.

PLANS AND POLICIES

San Francisco General Plan

The *San Francisco General Plan* (General Plan), Zoning Map, and San Francisco Planning Code (Planning Code) provisions govern all of San Francisco. The General Plan contains ten elements (Commerce and Industry, Recreation and Open Space, Residence, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety and Arts), which contain goals, policies, and objectives for the physical development of the City. In addition, the General Plan includes area plans containing objectives and policies for specific geographic areas. The Cruise Terminal and Brannan Street Wharf project sites are located within the Northeastern Waterfront planning area that extends from Aquatic Park/Van Ness to China Basin/Mission Creek.

Northeastern Waterfront Plan

The *Northeastern Waterfront Plan*, an area plan of the General Plan, guides growth and development along San Francisco's northeastern waterfront, an irregularly shaped area that includes four subareas: Fisherman's Wharf, Base of Telegraph Hill, Ferry Building, and South Beach. The project sites are within the *Northeastern Waterfront Plan's* South Beach subarea. Map 3 of the Plan indicates that Pier 30-32 and the Brannan Street Wharf site are located within the 40-X Height and Bulk District and the seawall lot is located within the 105-F Height and Bulk District, as established by the Planning Code. The *Northeastern Waterfront Plan* recommends objectives and policies designated to, "contribute to the waterfront's environmental quality, enhance the economic vitality of the Port and the City, preserve the

unique maritime character, and provide for the maximum feasible visible and physical access to and along the Bay." Specific objectives and policies of the *Northeastern Waterfront Plan* (as revised and amended in 1997, per Planning Commission Resolution No. 14467, and in 1997, by the Board of Supervisors' Ordinance No. 26-98 in 1998) that are pertinent to the Cruise Terminal and Brannan Street Wharf projects are listed below. Unless otherwise indicated, the following objectives and policies are relevant to both the Cruise Terminal and Brannan Street Wharf projects:

Objective 1: to develop and maintain activities that will contribute significantly to the city's economic vitality and provide additional activities which strengthen the predominate uses in each subarea of the northern waterfront, while limiting their concentration to preserve the environmental quality of the area.

Objective 1, Policy 1.1: accommodate, where appropriate, additional activities, which will strengthen the predominant economic functions of each subarea of the Northeastern Waterfront. *(Cruise Terminal)*

Objective 1, Policy 1.2: consistent with other policies of this plan, encourage uses on Port property which return revenue to the Port to support and improve its facilities. *(Cruise Terminal)*

Objective 2: to diversify uses in the Northeastern Waterfront, to expand the period of use of each subarea and to promote maximum public use of the waterfront while enhancing its environmental quality.

Objective 2, Policy 2.1: develop uses which generate activity during a variety of time periods rather than concentrating activity during the same peak periods.

Objective 2, Policy 2.2: diversify activities to encourage the use of the Northeastern Waterfront by a broad spectrum of the population.

Objective 2, Policy 2.3: encourage land uses having different peak periods of activity within each subarea of the Northeastern Waterfront to contribute to the area's diversity, to expand the period of use, to decrease peak period traffic congestion, to facilitate efficient use of the transit system and to preserve and enhance the environmental quality of the waterfront.

Objective 2, Policy 2.4: promote the development of new maritime activities, public open space and public access improvements as part of major new development on piers.

Objective 3: to retain and enhance maritime activities, reserving as much of the Northeastern Waterfront as is realistically required for future maritime uses, and providing for efficient operation of port activities.

Objective 3, Policy 3.1: give priority to maritime activities recognizing that the waterfront available for such activities is a limited resource and that maritime activities are vital to the City's economy. Based on a realistic assessment of the maritime needs of the Port, reserve the necessary waterfront area by prohibiting activities which would preclude possible future maritime development.

Objective 3, Policy 3.2: maintain adequate transportation access to, and the efficient movement of goods between, port piers and the local regional transportation system.

Objective 5: develop limited additional office and commercial retail space in order to serve the city's economic needs and to encourage a mixture of uses and activities along the Northeastern Waterfront. *(Cruise Terminal)*

Objective 5, Policy 5.5: encourage Bay-oriented commercial recreation and public assembly uses on piers, which include public access and complementary maritime activities (e.g., cruises, excursions, ferries, historic ships), and maritime support services.

Objective 6: to develop and maintain residential uses along the Northeastern Waterfront in order to assist in satisfying the city's housing needs and capitalize on the area's potential as a desirable living environment. *(Cruise Terminal)*

Objective 6, Policy 6.2: encourage the development of additional housing wherever feasible (except on new or replacement fill). *(Cruise Terminal)*

Objective 7, Policy 7.1: develop recreation facilities attractive to residents of all ages and income groups.

Objective 7, Policy 7.4: encourage and provide open space and public recreation facilities as part of any development, to provide facilities for people residing and working in the Northeastern Waterfront and in adjoining neighborhoods.

Objective 7, Policy 7.9: provide as much as public open space and peripheral access is feasible in areas of maritime activity without interfering with the operation of this activity.

Objective 8, Policy 8.3: allow parking over the water for public and commercial recreation uses only if (a) no alternative location is feasible; (b) the parking is located within a structure devoted to a permitted use and is necessary to such use or to other permitted uses in the same project area; and (c) it is the minimum amount necessary. *(Cruise Terminal)*

Objective 10: to develop the full potential of the Northeastern Waterfront in accord with the usual opportunities presented by its relation to the Bay, to the operating Port, fishing industry and Downtown; and to enhance its unique aesthetic qualities offered by water, topography, views of the City and the Bay, and its historic maritime character.

Objective 10, Policy 10.1: preserve the physical form of the waterfront and reinforce San Francisco's distinctive hill form by maintaining low structures near the water, with an increase in vertical development near hills of the downtown core area. Larger buildings and structures with civic importance may be appropriate at important locations.

Objective 10, Policy 10.2: preserve and create view corridors which can link the City and the Bay.

Objective 10, Policy 10.13: remove surface parking from over water, and along the Embarcadero roadway to improve shoreline appearance and access to the Bay.

Objective 10, Policy 10.27: locate buildings to minimize shadows and wind on public open spaces. *(Cruise Terminal)*

Objective 10, Policy 10.34: assure that new buildings use the most cost-effective energy efficient measures feasible. *(Cruise Terminal)*

Objective 16: to retain existing cargo shipping and related services and to promote commercial and recreational maritime activities.

Objective 16, Policy 16.2: promote commercial and recreational maritime activities (e.g., cruise terminal, excursion boats, historic ships, recreational boat mooring) which may be complemented with water-oriented commercial recreation and public assembly uses and public access improvements on piers no longer needed or suitable for cargo shipping facilities.

Objective 16, Policy 16.3: improve existing Pier 35 cruise facilities. If feasible, renovate the facility to provide a modern, functional passenger terminal with associated commercial recreation and public assembly uses. If Pier 35 is determined to be an infeasible location, allow the development of a new cruise terminal on another pier in the Northeastern Waterfront. *(Cruise Terminal)*

Objective 18, Policy 18.3: encourage moderate development of uses such as shops, restaurants, entertainment and hotels which activate the waterfront during evenings and weekends, but to a lesser overall intensity and concentration present in the adjacent downtown and Fisherman's Wharf areas. *(Cruise Terminal)*

Objective 23: to allow commercial and recreational maritime uses, public access improvements and non-maritime commercial recreation development on piers and along seawalls to generate waterfront activity, to provide visual and access improvements and to produce revenue for the Port.

Objective 27: to enhance the economic vitality of the area and capitalize on its unique location and environmental attributes for commercial and recreational maritime activities, maritime support uses, commercial and recreational uses, and residential development and neighborhood services.

Objective 29: to promote a continuous system of open spaces throughout the subarea by creating public access improvements as part of major new pierside developments, which connect with and expand upon the network of landscaped areas and public parks already developed or underway.

Objective 30: to maintain high standards in the design of new development which give rise to a new architectural identity for the shoreline, and which complements inland development. *(Cruise Terminal)*

Objective 30, Policy 30.5: promote new development on Pier 30-32 which provides commercial recreation and public assembly activities, and maritime operations such as an excursion boat or cruise terminal. New development should provide a multi-faceted mix of activities oriented around a common theme rather than a singular commercial attraction. Allow necessary parking on the pier to serve these activities. *(Cruise Terminal)*

Objective 30, Policy 30.8: require a high standard of architectural design appropriate to the prominence of the site, which also establishes a new architectural identity and standard for waterside development in the South Beach area. *(Cruise Terminal)*

Objective 30, Policy 30.9: develop uses which support and enhance the mix of maritime and commercial recreation uses developed on Pier 30-32, as well as provide a transition between residential uses on inland blocks and public-oriented activities on the waterfront. Block 3771 would be a desirable location for a mixed commercial and residential development or a hotel, depending on the combination of uses developed on Pier 30-32. Incorporate off-street parking into the development program for Block 3771 to serve significant amount of the parking demand associated with the Pier 30-32 development, if necessary. *(Cruise Terminal)*

Objective 30, Policy 30.19: organize the housing clusters to maximize views to the water and downtown as well as sun exposure while minimizing shading of open space and blocking views from adjacent areas. To the extent feasible, locate family units on ground floor levels adjacent to open space and recreational areas. Provide personalized entryways and private open space to all units. Orient the buildings to provide privacy and security. *(Cruise Terminal)*

Objective 30, Policy 30.20: design the structures and dwelling units to express character and diversity. Incorporate high standards of indoor and outdoor private space design and convenience

and use high quality materials. Express a human scale in surfaces and materials with articulated facades, bay windows, cornice lines, roofscapes, overhangs, towers and chimneys. Use varied light colors to break up building mass and liven surfaces. Design the housing complex to be energy efficient, and consider the use of passive solar systems. *(Cruise Terminal)*

Objective 30, Policy 30.21: incorporate most parking as part of the building within housing clusters. Because garages may be only a half level below grade due to the high water table, landscape or buffer exposed garage edges. Locate residences above parking structures to stabilize them and minimize differential settlement. To the extent feasible, improve the portions of the garage roof not covered by structures for walkways and recreation areas. Use tree wells to allow large trees to grow within residential clusters. Design parking structures to have controlled vehicular access points and direct access to residential units for increased security. Provide additional guest and service parking for the residential units in street right-of-way or adjacent to the clusters. *(Cruise Terminal)*

Conflict with a General Plan policy does not, in itself, indicate a significant effect on the environment within the meaning of CEQA. As stated in the CEQA Guidelines, "Effects analyzed under CEQA must be related to a physical change" (Sec. 15358(b)). To the extent that physical impacts may result from such conflicts, such physical impacts are analyzed in this SEIR. The General Plan contains many policies that may address different goals. Upon reviewing projects requiring its approval, the Planning Commission must decide whether, on balance, the project is consistent with the General Plan. In general, potential conflicts with the General Plan are considered by decision-makers independently of the environmental review process, as part of the decision to approve, modify or disapprove a proposed project. Any potential conflict not identified here could be considered in that context, and would not alter the physical environmental effects of the proposed projects.

Waterfront Land Use Plan

Approved in June 1997 and amended in July and October, 2000, the *Waterfront Land Use Plan* (Waterfront Plan) is a land use policy document governing property under the jurisdiction of the Port of San Francisco, generally from Fisherman's Wharf to India Basin. The Waterfront Plan is intended to: (1) actively promote the continuation and expansion of industrial, commercial and recreational maritime activities; (2) support new and existing open space and public access; (3) recognize the structure of the Port for revenue-generating land uses to fund maritime activities, open space, and public activities along the waterfront; (4) adapt to fluctuating economic, social and political structures by identifying the range of acceptable uses for Port properties; (5) encourage efficient use of currently underutilized Port properties by allowing a range of interim uses; and (6) establish a framework for streamlining the entitlement process for new development. The Plan also calls for identification of City plans and policies in need of reassessment and modification to implement the Waterfront Plan; the General Plan, Planning Code, and Zoning Map have been modified to ensure consistency with the Waterfront Plan.

The Waterfront Plan has seven goals: (1) to encourage the Port to function as a working Port for cargo, shipping, fishing, passenger cruise ships, ship repair, ferry and excursion boats, recreational boating and other water-dependent activities; (2) to stimulate new investment that will revitalize the waterfront,

create jobs, revenues, public amenities, and other benefits; (3) to promote diversity of activities and people, including maritime, commercial, entertainment, civic, open space, recreational and other waterfront activities for all to enjoy; (4) to provide access to and along the waterfront through a network of parks, plazas, walkways, open spaces, and integrated transportation improvements that would enhance enjoyment of the Bay environment; (5) to enhance the waterfront's historic character, while creating new opportunities for San Franciscans to integrate the waterfront into their everyday lives; (6) to ensure appropriate quality of urban design along the waterfront; and (7) to provide economic access to all people in San Francisco.

The Waterfront Plan and Bay Conservation Development Commission (BCDC) Special Area Plan require that the Port initiate the preparation of nomination materials for a Northern Waterfront Historic District from China Basin through Pier 35 to be listed on the National Register of Historic Places. The nomination must be submitted no later than June 30, 2002. The Port has retained an historic preservation consulting team to assist in the preparation of the nomination materials. The Port has identified components of Piers 28 and 38 as significant or potentially significant historic structures. The two Plans also establish requirements for removing designated piers and for developing public places within specified time frames, including the Brannan Street Wharf.

South Beach/China Basin Sub-Area

The Cruise Terminal and Brannan Street Wharf project sites are located within the South Beach/China Basin subarea of the Waterfront Plan, which extends from Pier 22 ½ to the north to Mariposa Street to the south. The Waterfront Plan contains the following objectives for the South Beach/China Basin subarea:

- Provide activities on Piers 30-32 which attract residents of the City and region, and which will complement and leverage the visitor activity the ballpark brings to the waterfront, but also include businesses which cater to nearby residents and employees.
- Provide significant maritime and public access uses with a multi-faceted mix of commercial activities, all oriented around a common theme, rather than a singular commercial attraction.
- Encourage new activities that do not generate peak traffic volumes during commute periods, to minimize congestion on roadway and public transit systems.
- Require a high standard of architectural design which is appropriate to the prominence of the site and establishes a new architectural identity and standard for waterside development in the South Beach area.
- Incorporate expansive public access on the piers that builds upon and enhances the PortWalk through the South Beach area.
- Demolish Piers 34 and 36 to create a Brannan Street Wharf open space, integrated with the Embarcadero Promenade and the public access and shoreline improvements for new development on Piers 30-32 and 38.

- Apply "Good Neighbor" standards to bars and restaurants which sell alcohol, large fast food restaurants, and entertainment uses on Piers 30-32 and 34-36 and Seawall Lot 330, unless the Port Commission makes a specific finding that a particular condition is unnecessary or infeasible.

The Waterfront Plan specifies acceptable land uses by the location at which they may be developed along San Francisco's Waterfront, including new uses and existing uses that may continue long term, those that may be continued as an interim use, or those that may be permitted as an accessory use. Generally, a wide variety of maritime uses (e.g., cargo shipping, maritime office and support services, and ceremonial berthing), open space/recreation, and commercial, and other uses, including general institutional, are permitted on specified sites throughout the project area. Under the Waterfront Plan, both maritime and general office are acceptable uses on Pier 30-32 and both residential and hotel uses are acceptable on Seawall Lot 330. However, the Port Commission retains the authority to use Port sites for any maritime use.

Site-specific development standards are also provided in the Waterfront Plan (particularly in the Waterfront Design and Access Element) to guide improvements to opportunity areas, which encourage a mixture of maritime, open space and public access activities that bring day and nighttime activities to the waterfront. The Cruise Terminal and Brannan Street Wharf project sites are located in the Bryant Street Pier Mixed Use Opportunity Area, which includes Piers 30-32, 34 (recently removed), and 36 and Seawall Lot 330.

Relevant to the Cruise Terminal project, the Waterfront Plan identifies the 13-acre Pier 30-32 and three-acre seawall lot together as the Port's largest potential development site. Pier 30-32 is supported by concrete piles, but would require substantial refurbishment and upgrade to meet current seismic and structural code requirements for the project. The vast size of Pier 30-32 offers opportunities for providing entertainment and attractions with a highly visible maritime element. In addition, the Waterfront Plan indicates that Pier 30-32 should be a highlight on the PortWalk, which would extend the pedestrian path along The Embarcadero onto the pier. Because Pier 30-32 is both prominent and yet isolated from an architectural standpoint, new development on the pier is identified as a potential signature piece for the neighborhood that should set a standard for other architectural improvements along the shoreline.

The Waterfront Plan specifically identifies Pier 30-32 as a possible location for a modern cruise ship terminal, with ancillary and support services, such as neighborhood-serving businesses, that could be incorporated into new development on the seawall lot. This development would create new housing in the South Beach area. The proposed Cruise Terminal project includes development of a cruise ship terminal on Pier 30-32 and residential development on the seawall lot.

With regard to the Brannan Street Wharf project, the Waterfront Plan indicates that Piers 34 and 36 should be removed in order to create a major Brannan Street Wharf open space. This would provide a major park on the water opposite the South Beach neighborhood and take advantage of open water and broad Bay views along the Embarcadero Promenade. The open water would maximize the view potential

for new development and public access areas at Pier 38. Less than a quarter mile from Pac Bell Park and midway along South Beach's waterfront edge, the Brannan Street Wharf is expected to become a major focus for residents and for visitors to the ballpark and other new mixed-use projects in this area. The Brannan Street Wharf project would involve removal of Pier 36 and the creation of the Brannan Street Wharf park. Previously condemned, Pier 34 was removed in mid-2001.

Sustainability Plan for the City of San Francisco

In 1993, the San Francisco Board of Supervisors established the Commission on San Francisco's Environment, charged with, among other things, drafting and implementing a plan for San Francisco's long-term environmental sustainability. The notion of sustainability is based on the United Nation's definition that "a sustainable society meets the needs of the present without sacrificing the ability of future generations and non-human forms of life to meet their own needs." The *Sustainability Plan for San Francisco* (Sustainability Plan) was a result of community collaboration with the intent of establishing sustainable development as a fundamental goal of municipal public policy (Department of the Environment, 1997).

The Sustainability Plan is divided into 15 topic areas, 10 that address specific environmental issues (Air Quality; Biodiversity; Energy, Climate Change and Ozone Depletion; Food and Agriculture; Hazardous Materials; Human Health; Parks, Open Spaces and Streetscapes; Solid Waste; Transportation; and Water and Wastewater), and five that are broader in scope and cover many issues (Economy and Economic Development; Environmental Justice; Municipal Expenditures; Public Information and Education; and Risk Management). Additionally, the Sustainability Plan contains indicators designed to create a base of objective information on local conditions and to illustrate trends toward or away from sustainability. Although the Sustainability Plan became official City policy in July 1997, the Board of Supervisors has not committed the City to perform all the actions sketched out in the plan. The Sustainability Plan serves as a blueprint, with many of its individual proposals requiring further development and public comment.

San Francisco Bay Plan

The San Francisco BCDC is a state agency with permit authority over the Bay and its shoreline. Created by the McAteer-Petris Act in 1965, BCDC regulates filling, dredging, and changes in use in San Francisco Bay. BCDC also regulates new development within 100 feet of the shoreline to ensure that maximum feasible public access to and along the Bay is provided. The Commission is also charged with ensuring that the limited amount of shoreline property suitable for regional high-priority water-oriented uses (ports, water-related industry, water oriented recreation, airports and wildlife areas) is reserved for these purposes. Land-side uses and structural changes are governed by policies regarding public access. BCDC can require, as conditions of permits, shoreline public access improvements consistent with a proposed project, such as, but not limited to, pathways, observation points, bicycle racks, parking, benches, landscaping, and signs.

Of primary concern to BCDC is the placement of new "fill" (generally defined as any material in or over the water surface, including pilings, structures placed on pilings, and floating structures) in the Bay. The McAteer-Petris Act imposes very strict standards for the placement of new fill. Placement of fill may be allowed only for uses that are (1) necessary for public health, safety or welfare of the entire Bay Area; (2) water-oriented uses, such as water-related industry, water-oriented recreation, and public assembly and the like; or (3) minor fill to improve shoreline appearance and public access. Fill must be the minimum necessary for the purpose and can be permitted only when no alternative upland location exists. While the two projects would each result in a limited amount of new fill related to the extension of the Pier 30-32 apron for the eastern cruise berth and creation of the Brannan Street Wharf, each project would result in a net decrease of Bay fill. The Cruise Terminal would result in no net increase in fill from the creation of the expanded pier and the removal of a portion of Pier 30-32 to create a south-facing lagoon. The Brannan Street Wharf would result in approximately 32,000 sq. ft. of new fill and a net decrease of approximately 59,845 sq. ft. due to the removal of Pier 36 (91,845 sq. ft.).

Other BCDC planning documents applicable to the northeastern waterfront include: the *San Francisco Bay Plan* (Bay Plan), adopted in 1969 and since amended, which specifies goals, objectives and policies for existing and proposed waterfront land use and other BCDC jurisdictional areas; the *Bay Area Seaport Plan*, prepared in conjunction with the Metropolitan Transportation Commission, which is BCDC's overall policy for long-term growth and development of the Bay Area's six seaports, including the Port of San Francisco; and the *San Francisco Waterfront Special Area Plan* (SAP), which is incorporated as a more specific element of the Bay Plan and, among other things, indicates acceptable land uses along the San Francisco Waterfront in much greater detail than does the regional Bay Plan.

In July, 2000, BCDC approved major amendments to the SAP, originally adopted in 1975, to reflect and be consistent with the Port's Waterfront Plan. The revised SAP identifies piers to be removed to create open water basins, prescribes two major new public plazas, and establishes new rules for development on certain existing piers, including allowing the repair and reconstruction of existing piers for any use consistent with the public trust, under certain conditions. Specifically, the SAP allows for minor amounts of new fill outside the boundaries of the existing pier footprint at Pier 30-32 for maritime and public access uses. The SAP establishes that public access occupying 35 percent of Pier 30-32 would meet BCDC's requirements for maximum feasible public access. The Cruise Terminal would meet that requirement. The SAP also establishes the requirement that the Brannan Street Wharf be constructed within 5 (the northern portion in the area of the former Pier 34) to 20 years of the issuance of a certificate of occupancy "for the major reuse of Piers 30-32, or a comparable development." The Port also adopted conforming amendments to its Waterfront Plan.

The area covered by the SAP is the land and water located along the existing shoreline of the City and County of San Francisco from the Hyde Street Pier through the India Basin, including all areas within the jurisdiction of the Port of San Francisco. The SAP divides the waterfront area into three geographic areas: Fisherman's Wharf, Northeastern Waterfront, and Southern Waterfront, to which particular permitted uses, policies, and maps are addressed. The Cruise Terminal and Brannan Street Wharf project

sites are located within the Northeastern Waterfront. The Northeastern Waterfront extends from Pier 35 to China Basin and is characterized by three geographic areas or districts, including the Base of Telegraph Hill that extends from Pier 35 to Pier 9; the Ferry Building from Pier 7-1/2 to Pier 22-1/2; and South Beach, extending from Pier 24 to China Basin. The project sites are located within the South Beach district.

The policies in the SAP apply only to areas within the jurisdiction of BCDC for permit purposes. These policies, in addition to the McAteer-Petris Act and other sections of the Bay Plan, are the basis for BCDC permit decisions and for federal consistency review under the federal Coastal Zone Management Act of 1972, as amended. The SAP includes general policies that apply to all areas covered by the plan, and geographic-specific policies that specify permitted uses that may be allowed on fill in specified areas within BCDC's jurisdiction, describe in greater detail the limits on Bay fill, and guide the provision of public access, consistent with development projects. In the Northeastern Waterfront, the geographic-specific policies apply to the Bay Plan policies regarding filling for public trust uses. Other Northeastern Waterfront geographic-specific policies guide the provision of public benefits and public access required for development within that portion of the San Francisco Waterfront. See Appendix B for excerpts from the SAP that directly address development on Pier 30-32 and Seawall Lot 330 and the creation of the Brannan Street Wharf.

The Public Trust

The City and County of San Francisco, through the Port Commission, holds title to Port lands in trust for the people of the State of California. This is because the State, upon admission to the United States in 1850, was granted title to all submerged lands and tidelands, and Port property consists of submerged lands and tidelands. Until 1968, the Port of San Francisco was governed by a State Harbor Commission. In 1968, the State Legislature adopted the Burton Act, which enabled transfer of the Port area to the City and County of San Francisco to be held in trust for the people of California for the purposes of maritime commerce, navigation and fisheries (the "public trust"), uses that enhance natural resources or attract people to use and enjoy the Bay and other specified uses.

The Burton Act granted the Port broad powers relative to the transferred property. There are, however, three key constraints: (1) property subject to the public trust and statutory trust imposed by the Burton Act cannot be sold or otherwise alienated by the Port, unless the property is found to be valueless for trust purposes and is a small portion of the total land held in trust by the Port; (2) the properties cannot be leased for a period exceeding 66 years; and (3) the revenues derived from the operation of the leased property must be maintained in a separate account and used only for trust purposes. The Port Commission may determine that Port property is surplus to trust purposes and may exchange that land for other property and/or use it for other purposes determined by the Port Commission and the State Lands Commission to be in the public interest. It is also acceptable for the Port to establish short-term leases (generally 10 years or less) for non-trust purposes if the property will not be required for trust purposes during the ten-year period of the lease. The State Lands Commission is the State agency that oversees

compliance by the Port with its grant under the Burton Act. No formal approvals are required by the State Lands Commission for Port projects. However, the State Lands Commission acts in an advisory capacity to BCDC with regard to BCDC's findings of trust compliance made pursuant to BCDC's San Francisco Special Area Plan.

The primary purpose of the proposed project development on Pier 30-32 is to construct a new international cruise terminal for San Francisco. The purpose is clearly consistent with the public trust. Other commercial and recreational uses, such as those proposed in the project, may be determined to be consistent with the public trust. A final determination of trust consistency, as well as consistency with the Waterfront Plan, would be made by the Port Commission, in consultation with BCDC and the State Lands Commission. Residential uses on the seawall lot would not generally be considered as a trust-consistent use.

The Cruise Terminal project site (Pier 30-32 and Seawall Lot 330) would be leased by the Port to SFCT, the private development component of the project sponsor team, for a period of 66 years. Termination of the trust restrictions on the seawall lot, with transfer of those restrictions to another site, would allow conveyance of the seawall lot into private ownership for development of the condominium project. A trust receiver site has yet to be identified. The Brannan Street Wharf project site would remain under Port control and would not be leased to a private entity.

AB 1389 - State Legislation on the Public Trust

Assembly Bill 1389 was introduced by Assembly Member Kevin Shelley, approved by the California Legislature on September 14, 2001, and signed by Governor Gray Davis on October 4, 2001 (see Appendix D for the complete text of the bill). The bill accomplishes several key items that pertain to the Cruise Terminal and Brannan Street Wharf projects, as described below:

- Ratifies the BCDC Bay Plan and Special Area Plan, adopted in July, 2000, as necessary to protect the health, safety or welfare of the public in the entire Bay Area;
- Allows the sale of the former Main Street right-of-way, an approximately 12,000 sq. ft. section of Seawall Lot 330;
- Allows 300,000 leaseable square feet of office space on Pier 30-32, all of which must be marketed to trust tenants and located above the ground level, and an additional 25,000 leaseable square feet of additional space which may be used for office space for a 14-year period of time before converting to Trust use;
- Allows both local-serving (non-Trust) and visitor-serving (Trust) retail space, so long as the amount of Trust retail space is greater than the amount of non-Trust retail space and the total amount of retail space is not less than 40 percent of the amount of office space; and
- Requires the construction and accelerates the completion of the Brannan Street Wharf.

San Francisco Planning Code

The Planning Code, which incorporates by reference the City Zoning Maps, governs land uses, densities and configuration of buildings within San Francisco. Permits to construct new buildings or to alter or demolish existing ones may not be issued unless the proposed project conforms to the Planning Code or an exception is granted pursuant to provisions of the Planning Code.

Zoning in the project vicinity is generally M-2 and M-1, except for the nearby Rincon Hill Special Use District, which is zoned RC-4. The Cruise Terminal and Brannan Street Wharf project sites are within an M-2 (Heavy Industrial) Zoning District. The Planning Code states that the M-2 District "is the least restricted [district] as to use and is located at the eastern edge of the City, separated from residential and commercial areas. The heavier industries are permitted...but some uses are permitted only as a conditional use or at some distance from residential districts (Section 210.6)." Retail sales and office uses are principal permitted uses in the M-2 Districts, while residential dwellings and hotel uses require conditional use authorization (Section 215).

The San Francisco Planning Code establishes three Waterfront Special Use Districts, which include a provision for a waterfront design review process for certain projects located within the districts. Pier 30-32 is located within Waterfront Special Use District (WSUD) #1 (Section 240.1), which covers most of the piers north of the China Basin Channel, including Pier 36. Seawall Lot 330 is located within Special Use District #3 (Section 240.3). The Brannan Street Wharf project is located within WSUD #1.

In WSUD #1, principal permitted uses include maritime uses and uses permitted in the underlying zoning district (in this case M-2, see above) that are also identified as an acceptable, existing or interim land use in the Waterfront Plan. There is also a requirement that any project involving any use other than maritime be subject to review of the urban design of the proposed use by the Design Advisory Committee. Section 240(c) establishes the rules and procedures for a Waterfront Design Advisory Committee made up of representatives of the Port, the Planning Department and the Mayor's Office, whose role is to review the urban design of new developments on certain lands located within the Waterfront Special Use Districts. Development proposed on Pier 30-32 would require review by the Waterfront Design Advisory Committee.

In WSUD #3, principal permitted uses include industrial, commercial and other operations directly related to the conduct of waterborne commerce or navigation, and wholesale establishments conducted entirely within an enclosed building. Conditional uses include a hotel or a motel, an automobile service station, and any project that includes more off-street parking spaces than required by the Planning Code. On property under the jurisdiction of the Port, there is also a requirement for projects of at least one-half acre in size to be subject to the waterfront design review process. Seawall Lot 330 would require review by the Design Advisory Committee, in addition to a conditional use permit by the Planning Commission.

The proposed seawall lot portion of the Cruise Terminal project site is within a 105-F Height and Bulk District (105-foot basic height limit; the "F" bulk limit indicates a maximum plan dimension of 110 feet

and maximum diagonal dimension of 140 feet, above 80 feet in height). The Cruise Terminal project, which includes residential towers on the seawall lot that would exceed 105 feet, would require a height reclassification for the seawall lot to a 200-foot height limit and an exception to the bulk limit to allow a 17-story, 187-foot tower at the corner of Beale and Bryant Streets.

Planning Code Section 215(a) establishes residential density in M-2 Districts at one unit for each 800 sq. ft. of lot area, or the density level of the nearest R District, whichever district provides the greatest density. The nearest R District is the RC-4 District, which has a maximum allowable density of one dwelling unit to every 200 feet of lot area (Planning Code Section 209.1(l)). The proposed residential development on the 124,000 sq. ft. seawall lot would contain 350 dwelling units, a density of one unit per 354 sq. ft. of lot area. As such, the proposed 350 units would meet the density limits established in Planning Code Section 209.1(l).

Planning Code Section 135 requires 36 sq. ft. of usable open space for each dwelling unit (if all units are private) or a ratio of 1.33 of common open space that may be substituted for private open space. The Cruise Terminal project would meet this requirement by providing private balconies and hardscape and green spaces, including a swimming pool, on the project's podium level.

Parking requirements for the residential component of the Cruise Terminal project are regulated by Planning Code Section 151, which requires one parking space for each dwelling unit. The project would construct 350 dwelling units and would provide 350 parking spaces. Thus, the project would meet the Planning Code's requirement for the amount of parking.

Pier 30-32 is located within a 40-X Height and Bulk District (40-foot basic height limit; the "X" indicates no bulk limits). Structures proposed for the pier would range in height from 46 to 88 feet, with the tallest point being the eastern end of the Cruise Terminal on the northeastern corner of the pier. The element of the terminal building at the water's edge rising to 88 feet would be an unoccupied architectural feature. The project sponsor is seeking a Height and Bulk reclassification to 50-X in order to allow for buildings on the pier to exceed 40 feet in height due to the depressed parking area under the central area of the Pier. (Planning Code Section 260 permits exceptions to the height limits for structures owned by the Port of San Francisco and for unoccupied architectural elements of public buildings.) The Pier 30-32 component would have a floor area ratio (FAR) of 1.6:1, which would be permitted in the M-2 zoning district (the maximum permitted FAR is 5:1).

The Pier 30-32 component would be constructed over a one-level parking garage containing 450 parking spaces, including 18 handicap accessible parking spaces and 23 bicycle spaces. The Cruise Terminal project would meet the requirements for handicap accessible parking and bicycle spaces, but would provide substantially fewer than the required number of parking spaces. Planning Code Section 161(f) permits the Planning Department or Commission, for conditional uses, to reduce the off-street parking requirements in recognition of the policies set forth in the Northeastern Waterfront Plan.

The Planning Department is currently in the process of amending the Rincon Hill Plan and combining the Planning Code's Rincon Hill Special Use District subarea designations (Residential and Commercial/Industrial subareas) into one Rincon Hill Mixed-Use (RHM) District in order to increase height limits and to make other changes intended to stimulate additional high-density, residential development in the Rincon Hill area. The Rincon Hill project area, situated immediately to the north and to the west of Seawall Lot 330, is south of the Transbay Terminal, north of the South Beach area, and bounded generally by Folsom Street, Steuart Street, The Embarcadero, Bryant Street, Beale Street, the Bay Bridge approach, and the Transbay Terminal ramps.

IMPACTS

SIGNIFICANCE CRITERIA

The City has not formally adopted significance standards for land use impacts, but it generally considers that the implementation of a proposed project would have a significant land use impact if it were to:

- substantially disrupt or divide the physical arrangement of an established community;
- substantially conflict with established recreational, educational, religious, or scientific uses; or
- have a substantial impact on the existing character of the community.

A project could also have a significant effect if it would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) if these plans, policies, or regulations are adopted for the purpose of avoiding or mitigating an environmental effect.

IMPACT ANALYSIS

This section describes potential effects of the proposed projects on land use, and local plans and policies. Potential effects are described for each of the two projects.

Land Use

The proposed Brannan Street Wharf project would replace Pier 36, which is currently used for parking/storage, with a 57,000 sq. ft. public waterfront park. The proposed Cruise Terminal project would result in an introduction of new land uses to a site currently used primarily for vehicle parking. On the seawall lot, the project would introduce 350 residential units to the site, reduce the number of parking spaces provided (from 500 to 350), provide open space where there currently is none, and substantially intensify the overall use of the site. On Pier 30-32, the vast open pier structure would be transformed from a 400-car parking lot and storage area to a large mixed-use project that would include a 100,000 gsf cruise terminal, 370,000 gsf of office space, 220,000 gsf of retail space (including cinemas, a music club,

a grocery store, and a variety of other stores), a number of publicly accessible open spaces, and 450 parking spaces. Red's Java House, a small restaurant, would remain in its current location.

While the changes that would occur on the project sites as a result of the proposed project would be dramatic and substantial, they would also be in keeping with established development patterns and policies of the City and County of San Francisco. As described above, the adjacent South Beach neighborhood is an area in which a number of large residential projects, most of which include neighborhood-serving retail and restaurants on their ground floors, have been constructed in recent years in an area still occupied by numerous office buildings and a dwindling amount of waterfront maritime operations. The area is also well served by MUNI, particularly since the recent expansion of the N-Judah Metro line that now operates along The Embarcadero and services Pac Bell Park and the nearby Caltrain Depot. Thus, in the last five years the neighborhood has been transformed into a bustling, residential neighborhood where people live, work, and can be entertained well into the evening. This dramatic development pattern has been encouraged by City policies, including the Rincon Point-South Beach Redevelopment Area, the Northeastern Waterfront Area Plan, and the Port's Waterfront Plan. These same policy documents also encourage and/or specifically call for the land uses proposed as part of the projects, particularly the cruise terminal, public/recreational open spaces, and public access to and along the waterfront.

As such, the proposed projects, which would be achieved within the existing block/pier configuration, would continue and reinforce existing land use development patterns, would be consistent with nearby existing uses, and would neither disrupt nor divide the neighborhood. For these reasons, both projects would have a less than significant land use impact.

Plans and Policies

Development of the currently unprogrammed Cruise Terminal project site would generally be consistent with the applicable plans and policies and would not substantially conflict with any adopted plans and policies. As called for in the Northeastern Waterfront Plan, an Area Plan of the General Plan, the proposed residential/cruise terminal/mixed-use project would generally enhance the economic vitality of the Port and the City, preserve the waterfront's maritime character, provide commercial and maritime recreation, and provide for visible and physical access to and along the Bay. The Cruise Terminal project would generally be compatible with a majority of the policies and objectives of the Northeastern Waterfront Plan. The Brannan Street Wharf project would appear to be generally compatible with the Northeastern Waterfront Plan and would reinforce policies related to increasing public access to the waterfront and removing dilapidated piers to approve shoreline appearance.

The Port's Waterfront Plan specifically designates Pier 30-32 as a Mixed-Use Opportunity Area, which explicitly identifies the pier for use as a highly visible maritime element and recommends other ancillary commercial and recreational uses. The removal of Pier 36 and the creation of a new public access facility, such as the Brannan Street Wharf, recreational maritime uses, and a landscaped open space program in the Mixed-Use Opportunity Area, would be consistent with the Waterfront Plan's objectives

to improve areas that would provide opportunities for passive and active recreational uses. The proposed development on Pier 30-32 and the proposed Brannan Street Wharf would likely be consistent with the Waterfront Plan's Design and Access Element, which provides design criteria for both Pier 30-32 and the Brannan Street Wharf, including site coverage, massing, views, orientation and architectural details. Additionally, the proposed projects would generally meet or not conflict with the seven general goals of the Waterfront Plan, which in part encourage maritime uses, promote diversity of uses, and encourage public access.

The Bay Plan contains policies that regulate development within 100 feet of the San Francisco Bay. Of primary concern to BCDC is the placement of new fill in the Bay for purposes of new development. While each project would result in a minimal amount of new fill (related to the extension of the Pier 30-32 apron for the eastern cruise berth and creation of the Brannan Street Wharf), each project would also result in a net decrease of Bay fill due to the removal of a portion of Pier 30-32 to create a lagoon area and the removal of Pier 36. Thus, the construction of the proposed projects would not conflict with these goals and policies.

REFERENCES – Land Use, Plans, and Policies

City and County of San Francisco, *San Francisco General Plan, including Northeastern Waterfront Plan* (amended through January 1998).

City and County of San Francisco, Department of the Environment, *The Sustainability Plan for the City of San Francisco*, 1997.

Port of San Francisco, *Waterfront Land Use Plan*, adopted June 1997, (Republished January 2000), and as amended July, 2000 and October, 2000.

Port of San Francisco, *Waterfront Design and Access Element, An Element of the Waterfront Land Use Plan*, adopted June 1997, as amended July, 2000.

San Francisco Bay Conservation and Development Commission, *San Francisco Bay Plan*, 1969 (as amended through July, 2000).

San Francisco Bay Conservation and Development Commission, *San Francisco Waterfront Special Area Plan*, April 1975 (amended through July 2000).

B. VISUAL QUALITY

SETTING

VISUAL CHARACTER

The Cruise Terminal project site (including both Pier 30-32 and Seawall Lot 330) is unoccupied by buildings except for the small, one-story Red's Java House restaurant situated in the northwest corner of Pier 30-32 along The Embarcadero. The 1,500-square foot structure appears small in contrast to the paved, flat expanse of the pier behind it. The cream-colored structure has multiple window openings, a hipped roof, and signage along its the roofline. An approximately eight-foot tall cyclone fence extends from Red's Java House southward along the pier's Embarcadero frontage, and is joined to a metal gate at the southernmost point on the pier. Along the perimeter of the pier are large bollards, thick metal posts used for securing ship's ropes and hawsers, located on the north and south sides of the pier. Other than Red's and the bollards, the entire paved pier is almost completely flat and is without any articulation. During most days, the pier is partially occupied by parked automobiles (approximately 300), which visually dominate the site when viewed from The Embarcadero or most other off-site viewpoints.

Parked vehicles also visually characterize the seawall lot on most days. The 124,000-square-foot triangular lot is a flat, paved parking lot occupied by a small temporary structure used by the lot's parking attendant. At full capacity, up to 500 parked automobiles are visible on the lot. Street trees planted along the site perimeter on Beale and Bryant Streets and The Embarcadero provide a visual outline of the site.

The Wharf project site includes Pier 36 and the marginal wharf between Pier 30-32 and Pier 38. Located on the northwest corner of Pier 36 is a one-story, 30-foot tall shed building constructed of wood and steel with a glass skylight spine along its roof. The utilitarian storage structure, with no distinctive architectural articulation, is set back from The Embarcadero approximately 35 feet. Parked trucks and vans are visible along the narrow northern side and wider southern side of the pier. The remainder of the generally flat and visibly decaying pier is typically occupied by parked trucks and vans as well as scattered junk piles.

Both project sites are only nominal sources of nighttime lighting. Existing nighttime light sources in the vicinity of the Cruise Terminal project site consist of decorative street lighting along the edges and in the median of The Embarcadero, light stands on the seawall lot that provide lighting to the parking lot, and light stands on Pier 30-32. Lighting on The Embarcadero also extends along the Wharf project site. Pier 36 is also minimally lit to facilitate operations in and around the shed building located on it.

VIEWS OF SITE

Five photographs of existing conditions are provided below as Figures 18, 20, 22, 24, and 26.[4] Figure 18 looks northwest across the seawall lot and was taken from the eastern side of The Embarcadero at its

[4] The photographs were taken February 22, 2001.

SOURCE: Previsualists Unlimited

Figure 18

Photograph of Existing Conditions -
View Looking Northwest to Seawall Lot 330

SOURCE: Previsualists Unlimited

Figure 19
Photosimulation -
View Looking Northwest to Seawall Lot 330

SOURCE: Previsualists Unlimited

Figure 20

Photograph of Existing Conditions -
View Looking Southwest to Seawall Lot 330

SOURCE: Previsualists Unlimited

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 21
Photosimulation -
View Looking Southwest to Seawall Lot 330

SOURCE: Previsualists Unlimited

Figure 22

Photograph of Existing Conditions -
View Looking East to Pier 30-32 From Brannan Street

SOURCE: Previsualists Unlimited

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Figure 23
Photosimulation -
View Looking East to Pier 30-32 From Brannan Street

SOURCE: Previsualists Unlimited

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 24

Photograph of Existing Conditions -
View Looking East to Pier 30-32 From Seawall Lot 330

SOURCE: Previsualists Unlimited

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 25
Photosimulation -
View Looking East to Pier 30-32 From Seawall Lot 330

SOURCE: Previsualists Unlimited

Figure 26

Photograph of Existing Conditions -
View Looking Southwest to Seawall Lot 330 from
Main Street at Harrison Street

SOURCE: Previsualists Unlimited

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

Figure 27
Photosimulation -
View Looking Southwest to Seawall Lot 330 from
Main Street at Harrison Street

intersection with Brannan Street, what would be the western edge of the proposed Brannan Street Wharf. Figure 20 looks southwest across the seawall lot and was taken from the eastern side of The Embarcadero at its intersection with Bryant Street. Figure 22 looks east across a portion of the Brannan Street Wharf project site and Pier 30-32 and was taken from the western side of The Embarcadero at its intersection with Brannan Street. Figure 24 also looks east across Pier 30-32, but was taken from in front of the seawall lot on the western side of The Embarcadero, south of Bryant Street. Figure 26 looks southeast down Main Street towards the seawall lot and was taken from the intersection of Main and Harrison Streets.

Following each photograph is a corresponding computer-modeled photosimulation of the general appearance of the proposed projects. The simulations are not meant to be realistic representations of what the projects would look like architecturally, but rather are meant to instruct as to the potential for effects on views and urban design. As such, the simulations do not depict the architectural style, materials, treatment, or detailing of the buildings and open spaces that would actually be constructed as part of the proposed projects. The photosimulations are provided as Figures 19, 21, 23, 25, and 27.

Neither project site is readily visible in mid-range and long-range views because of their flat terrain and surrounding development, except where streets provide narrow view corridors. Brief glimpses of at least a portion of the project sites are visible from vehicles travelling in the southern lanes on the Bay Bridge. Tenants of residential units along Bryant and Beale Streets, including Bayside Village and Portside Condominiums, look directly onto the seawall lot and have views of San Francisco Bay across Pier 30-32. Bayside Village and Delancey Street residences also have views to the Bay across Pier 36.

The BCDC Special Area Plan (SAP), adopted in July 2000, analyzed view corridors in the vicinity of the proposed projects. The SAP describes the existing and proposed (anticipated) views towards the waterfront down Brannan, Beale, and Bryant Streets. Main Street views are not discussed. The existing view down Brannan Street is of the "Bay Bridge and pier deck," with the proposed view described as "Bay Bridge and waterfront architecture." The existing view down Beale Street is of "pier deck" and is proposed for views of the "Bay and Brannan Street Wharf Park." Views down Bryant Street are of the "bulkhead building" on Pier 28 and are not anticipated to change.

The Waterfront Plan (Waterfront Design and Access Element), adopted in 1997, identifies Brannan Street as a proposed "View to Architecture with a Waterfront Identity" and Beale Street as a "Proposed View to Bay." Bryant Street is described as a "View to Historic Structures" because it visually terminates at Pier 28. Main Street views are not described.

IMPACTS

SIGNIFICANCE CRITERIA

San Francisco has no formally adopted significance criteria regarding visual quality and urban design. However, the project would have a significant effect on the environment if it would:

- substantially degrade or obstruct publicly accessible scenic views;
- substantially degrade the existing visual character or quality of the area, or result in a substantial, demonstrable negative aesthetic effect; or
- generate obtrusive light or glare that would adversely affect views or substantially affect other properties.

IMPACT ANALYSIS

Aesthetic Effects

Taken together, the Cruise Terminal and Wharf projects would result in a visual change to their respective project sites and the greater project vicinity/South Beach neighborhood. The proposed Cruise Terminal project would result in a visual change since it would include a variety of new structures on both the Pier 30-32 and seawall lot portions of the site that would range in height from 25 to 187 feet. On the seawall lot, a series of buildings and open spaces would be provided, including three towers and two three-story buildings on top of a two-level podium and three smaller buildings along the perimeter of the site. The proposed Brannan Street Wharf project would result in a visual change since it would replace a pier with a shed building on it with a landscaped open space and open water basin.

Ranging from 25 to 70 feet, the street level units on the seawall lot would be in keeping with the immediately surrounding residential buildings, which range from approximately 50 to 85 feet in height. The three towers, which would range from 105 to 187 feet in height, would be the tallest buildings along The Embarcadero in the immediate area, but would be of similar or lesser heights than recently-constructed residential tower projects in the South Beach neighborhood. For example, Avalon Towers, located two blocks to the northwest on Beale Street, is 230 feet tall. The Brannan, located less than two locks to the west, is 195 feet tall. One Embarcadero South, just over two blocks to the south, is approximately 140 feet tall. Paved and green open spaces at the corners of Brannan and Bryant Streets with The Embarcadero would provide a visual break and allow for views into the site from street-level vantage points. Figures 19, 21, and 27 depict how the seawall lot portion of the site would generally be expected to look with construction of the Cruise Terminal project.

On Pier 30-32, the Cruise Terminal project would result in the construction of a number of buildings that would vary widely in size, shape, and height. The most prominent component of the project on the pier would be the cruise terminal, which as currently envisioned would include a large, sloping, circular roof that would rise to 88 feet at its peak. The Embarcadero frontage of Pier 30-32 would be approximately 46 feet tall, as would most of the other buildings on the site. The entire southern perimeter of the pier would be public open space, connecting to public plazas on the interior of the site and extended aprons along the eastern and northern edges that would provide access to additional views when cruise ships were not in port. Figures 23 and 25 depict how the Pier 30-32 of the site would generally be expected to look with construction of the Cruise Terminal project on a day in which a cruise ship would be in port. The approximately 190-foot tall vessels would be visually prominent and, depending on the angle, appear

substantially taller than the buildings on the pier. Although a small portion of the Brannan Street Wharf would be located in the foreground of development on Pier 30-32, it is not distinguishable from this perspective.

On Pier 30-32, the Cruise Terminal project would not alter or move Red's Java House, the only existing building on the project site. However, the Cruise Terminal project would transform a vast, flat, uniformly paved, and otherwise vacant pier with no distinguishing visual qualities into an entirely developed property with a variety of publicly accessible open spaces (ranging in size and nature) and a series of primarily two- to three-story buildings. In contrast to the current barren condition of the pier, these structures would create a strong visual edge along The Embarcadero and each side of the pier. The structures would be generally consistent in their height, except for the terminal structure, which, situated at the northeastern corner of the pier, would gradually slope south to north from 46 to 88 feet high. Interspersed between the pier's buildings would be a collection of open spaces that would vary in size, form, and design treatment.

The southern end of the pier would appear more open and less densely developed. Walkways and public spaces would front a curved lagoon on that side of the pier. The semi-circular lagoon (cutout from the pier), landscaping and public access of the pier would visually integrate with the adjacent proposed Brannan Street Wharf open spaces and water basin.

The seawall lot would be transformed from an undeveloped surface parking lot to a densely developed residential site with a cluster of buildings of varying heights and forms. The seawall lot would consist of eight buildings, including three towers (varying in height from 105 feet to 170 feet), one located near each of the triangular lot's corners. Connecting the towers would be two- to six-story townhouses that would visually enclose much of the site's perimeter. Each of the buildings would have slightly different roof and facade treatments. The streetwall would be punctuated at the corners by cascading stairways leading into the landscaped open spaces within the project site.

Construction materials for both components of the Cruise Terminal project would include glass and steel, and the project's design would be of a contemporary style. Except for the cruise terminal, the proposed pier buildings would generally have pitched and hipped roofs. The cruise terminal would have a distinctive large cylindrical shape. The architectural style and the materials would be in keeping with the diversity of materials and styles of buildings in the immediate area and the broader South Beach neighborhood. For example, to the northwest of the seawall lot are the white concrete and glass Portside Condominiums neo-Moderne towers, while to the west of the seawall lot is the more horizontal brick-clad Bayside Village.

The Wharf project would replace the existing Pier 36 and marginal wharf with a new landscaped public open space. The Wharf open space would likely make a positive visual contribution to the area as a result of replacing a largely undistinguished, dilapidated pier and marginal wharf with an open water basin and landscaped public open space (including trees, street furniture, etc.) designed to encourage interaction

with the waterfront and passive recreation. Further, the Wharf would provide access to additional views of the Bay.

Although visual quality is subjective, given the proposed exterior materials and the fact that the proposed project would be constructed within a group of nearby buildings of varying height and bulk in a highly developed urban area, it cannot be concluded that the proposed project would result in a substantial, demonstrable negative aesthetic effect, or that it would substantially degrade the existing visual character of the site and its surroundings. The same conclusion would apply to the Brannan Street Wharf project, whose open space and net increase in visible water area would likely have a positive aesthetic effect. As such, both projects would result in less than significant visual effects related to visual character and aesthetics.

The proposed projects would increase the amount of light emitted from the site as a result of the increase in intensity of use of the sites, but would not increase ambient light to levels that would be substantially disruptive. The project would increase the amount of light emitted from the project site, when compared to existing and pre-2001 conditions, but would not substantially increase ambient light levels in the project vicinity. Light and glare produced from the proposed project would be typical of residential or commercial uses nearby and throughout the City. Moreover, there would be no uplighting of the exterior of the cruise ship terminal, which would further reduce ambient light levels and nighttime glare. The Wharf project would provide lighting for safety, which would be only a minimal amount of new light when taken in the context of The Embarcadero and the surrounding uses. As such, neither project would produce obtrusive glare that would substantially affect other properties, and both would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Therefore, both projects would result in less than significant visual effects related to light and glare.

Effects on Views

As is evident from the photosimulations, the Cruise Terminal project would result in a visually substantial and prominent addition to the waterfront and the South Beach area. Project development would be visible from the South Beach neighborhood to the west, the Bay Bridge to the north, Pac Bell Park to the south, and along The Embarcadero between those two landmarks. For people travelling north or south on The Embarcadero, previously unobstructed views of San Francisco Bay would be interrupted and blocked by the development proposed for Pier 30-32. From street level, particularly looking northeast from Brannan Street, views of the East Bay Hills, the Bay Bridge, Yerba Buena Island, and the Port of Oakland would be obstructed. As seen in Figure 23, on days when one or more cruise ships would be in port, the view obstruction would be increased, as cruise ships can rise in height to over 190 feet.

However, very similar views would continue to be available from both north and south of the Cruise Terminal site along The Embarcadero. Furthermore, the proposed Wharf project would create additional landscaped open space and remove Pier 36. Removal of Pier 36, on which a 30-foot tall shed building is located, would result in slightly improved views of the Bay south of the site from The Embarcadero and residential units to the west. Further, under worst-case conditions (expected in 2020), one or more cruise

ships would be in port less than one quarter of the year. As seen in Figure 25, views east to the Bay from near Bryant Street at The Embarcadero would be similarly obstructed. However, little beyond the peaks of the East Bay Hills can currently be seen, and thus the visual change from this viewpoint would be minimal.

Looking north from the intersection of Brannan Street and The Embarcadero, the Portside Condominiums and the Bay Bridge (at 110 feet) are visible immediately behind the seawall lot, and tall SOMA and downtown office buildings are visible further in the background (see Figure 19). With development of the seawall lot component of the Cruise Terminal project, views from this vantage point would be almost entirely of the proposed residential buildings. While the existing views from this vantagepoint would be obstructed, more expansive views to the north (up The Embarcadero) would remain unhindered.

The impact on existing views from the vantage point of Bryant Street and The Embarcadero would be similar (see Figure 21). Currently, views west and south from this point include the lanes of The Embarcadero in the foreground, Bayside Village in the midground, and taller residential towers and the lightstands of Pacific Bell Park in the background. To the northwest of the site is a clear view of the massive concrete anchoring of the Bay Bridge, including its long steel connectors to the underside of the bridge. With development of the Cruise Terminal project, this view would be almost completely blocked from Bryant Street south along The Embarcadero to almost Brannan Street.

Looking southeast toward the seawall lot down Main Street, views of the Bay and East Bay Hills are framed by the Portside Condominiums on the northeast and the Bay Bridge anchorages on the southeast. Views of the existing surface parking lot on the seawall lot are readily available in the midground. With the project, the proposed residential buildings on the seawall lot would obstruct views of the water and the East Bay Hills. The seawall lot buildings would fill a majority of the framed view corridor, with the six-story building fronting on Beale Street in the foreground and the 11-story tower visible behind it (see Figure 27).

When entering the City from the east on the upper deck of the Bay Bridge, brief glimpses of at least a portion of the project sites are visible when travelling in the southern (left) lanes. Similar views are available, although even more briefly and less broadly, heading east on the lower deck of the Bay Bridge. In these views, the substantial size of both the pier and seawall lot components of the Cruise Terminal project would potentially be identifiable and a visually prominent feature on the Northeastern Waterfront, but would be viewed dynamically against an adjacent urban context. Similarly, the Wharf project would be visible, although it would not necessarily be visually distinctive from that distance.

Development on the seawall lot would be part of the growing number of medium-rise and high-rise buildings located south of Market Street, specifically in the South Beach neighborhood and along The Embarcadero (Seawall Lot 330 is one of the last undeveloped waterfront properties in the Northeastern Waterfront). The proposed residential development on the seawall lot would, as described above, introduce buildings to the site that are in keeping with the heights of other nearby buildings, but would

be taller than most other buildings along The Embarcadero. The proposed buildings would primarily affect some views from private residences in the Bayside Village and Portside Condominium complexes. While a potentially substantial change to the residents of those properties, visual impacts to private property would not be considered significant.

Development on Pier 30-32 would also disrupt existing views of the waterfront, but would do so only from limited public vantage points, primarily from portions of The Embarcadero just north and south of Pier 30-32. Similar views that are currently available would continue to be available very near to or from the project site. Further, open spaces provided on Pier 30-32 as part of the Cruise Terminal project, including the pier aprons (except when a ship is in Port), plazas, walkways, and the top floor of the terminal itself, would afford publicly-accessible views to the Bay, the Bay Bridge, Yerba Buena Island, the East Bay, and the City. By improving access to Pier 30-32, which currently has limited public access, some of the views that would be available would be broader and visible from slightly different perspectives than are currently available.

There are no major public open spaces in the project vicinity. Further, from long-range vantage points, such as Potrero Hill and Twin Peaks, the proposed projects would be nearly indistinguishable from the adjacent context of other nearby buildings. Further, the proposed projects would not disrupt the view corridors as identified and anticipated by the BCDC SAP. With the proposed projects, the view down Brannan Street would be of the Bay Bridge and waterfront architecture, the view down Beale Street would be of the Bay and Brannan Street Wharf Park, and the view down Bryant Street would continue to be of the bulkhead building on Pier 28. Similarly, in keeping with the Waterfront Plan, Brannan Street would have a view of architecture with a waterfront identity, Beale Street would have an improved view of the Bay, and Bryant Street would continue its view to historic structures. As such, the proposed projects would not obstruct any publicly accessible scenic views or have a substantial adverse effect on a scenic vista "observed from public areas." In light of the above, both the Cruise Terminal and Wharf projects would result in less than significant impacts related to visual quality and urban design.

C. TRANSPORTATION, CIRCULATION AND PARKING

A transportation study was prepared for the Cruise Terminal project and is summarized here.[5] Throughout this section, the terms "project" and "project site" refer only to the Cruise Terminal project and its two components on Pier 30-32 and the seawall lot, unless otherwise noted. The setting discussion prepared for the Cruise Terminal project would of course also be applicable to the regional and local vicinity conditions of the Brannan Street Wharf project site. A brief discussion regarding the transportation, circulation, and parking effects that would be associated with the Brannan Street Wharf project is provided at the end of this section.

SETTING

STUDY AREA AND APPROACH

The transportation analysis for the proposed Cruise Terminal project includes the assessment of existing transportation conditions during the AM, PM, and Weekend peak hours.[6] Data collected in November, 2000 and in spring and summer of 2000 were used for the analysis. In order to adequately assess each aspect of the proposed project, three fundamental analysis conditions were assumed: a Base Case condition, a Cruise Season condition, and an Off-Season condition. Each is described below.

Base Case

The Base Case condition assesses the impact of adding the proposed office and commercial uses on Pier 30-32 and the residential uses on Seawall Lot 330, independent of the special activities generated by the proposed cruise terminal facility. These uses would generate trips on a daily basis, rather than on an episodic basis like the cruise terminal (during the Cruise Season when ships are berthed or during the Off-Season when special events occur). The Base Case trips generated from the office, commercial, and residential uses would represent a typical day when neither a cruise ship is docked or a special event is occurring. This condition would be estimated to occur approximately 175 days out of the year.

Cruise Season

The Cruise Season condition represents a typical day during the cruise season (May through October) when one large home-berthed ship would be docked at the cruise terminal. The trips generated during this condition would include the Base Case trips and the trips generated by the cruise ship activity. Presently, about 40 to 60 cruise ships dock annually at the Port, an average of two or three calls per week. Cruise ship activity is expected to increase to about 107 calls per year by 2020, representing about

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[5] The Duffey Company, *San Francisco Cruise Terminal Mixed-Use Project Transportation Impact Study,* November 15, 2001. This report is available for review by appointment at the San Francisco Planning Department, 1660 Mission Street, as part of Project File No. 00.1229E.

[6] The AM peak hour of analysis is the peak hour of traffic between 7:00 and 9:00 AM. The PM peak hour refers to the peak hour of traffic between 4:00 and 6:00 PM. The weekend peak hour is the peak hour between 12:00 and 2:00 PM on Saturday.

85 days of the year on which one or more ships would be in port.[7] The average number of weekly calls would therefore be expected to increase to about four during the Cruise Season.

The Cruise Season scenario assumes one home-berthed ship in port with a total of 3,000 passengers. The morning and afternoon unloading and loading of passengers were assumed to occur outside the typical AM and PM peak commute hours. This condition is likely to occur about 40 days out of the 85 days with ships in berth. On 30 days out of the 85, it is estimated that there would be a transit ship (port-of-call, where passengers make day excursions into San Francisco and leave their luggage on-board) at the cruise terminal. On the remaining 15 days, two ships to three ships (maximum four days) would be expected in port annually.

Off-Season

The Off-Season condition represents a day between November and April on which the project sponsor would rent out a portion of the cruise terminal for a special event. The trips generated during this condition would include the Base Case trips and the trips generated by the special event. The special events would most likely coincide with the PM or Weekend peak hours, rather than the AM peak hour. Like the cruise ship activity, these special events could occur more than a few nights a week, but would not be expected to occur on a daily basis.

The analysis for the Off-Season scenario assumed that there would be no ships in berth and that 20,000 square feet[8] of the cruise terminal would be used for special events such as cocktail parties, buffets, or sit-down dinners. This condition would be expected to occur about 90 days per year.

Based on these three conditions, the following future scenarios were analyzed during the peak hours:

- Existing Plus Project Base Case (PM peak hour)
- Existing Plus Project Cruise Season (AM peak hour, PM peak hour, Weekend peak hour)
- Existing Plus Project Off-Season (PM peak hour)
- Cumulative Year 2020 Base Case (PM peak hour)
- Cumulative Year 2020 Cruise Season (AM peak hour, PM peak hour, Weekend peak hour)
- Cumulative Year 2020 Off-Season (PM peak hour)

For this analysis, 13 existing intersections were identified as locations likely to be most affected by the proposed project. The analyzed intersections include: The Embarcadero at Howard, Folsom, Harrison, Bryant, and Brannan Streets; King at Second, Third, and Fourth Streets; Bryant at Main and Beale Streets; and Harrison at Main, Fremont and First Streets[9] (see Figure 28 for study intersections).

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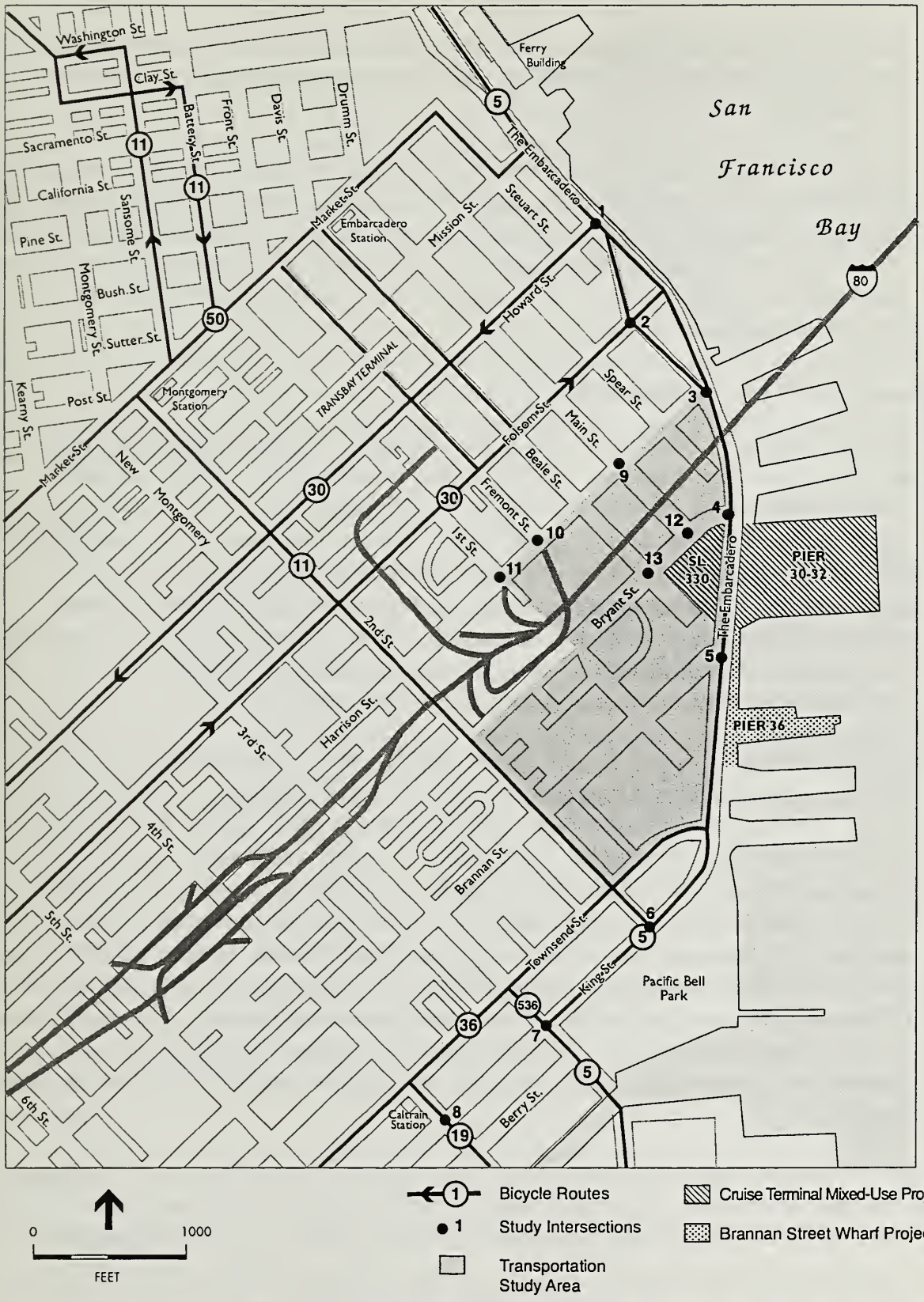
7 Anne Cook, Port of San Francisco correspondence to Rick Cooper, San Francisco Planning Department, April 24, 2001.

8 A special event scenario using 20,000 square feet was used as a typical event size. On a limited number of days, up to a maximum of 50,000 square feet of space would be used for special events. Other times, smaller events would be held. The projected impacts of a large event are summarized below under the "Large Event" discussion.

9 Not all of the intersections were analyzed for all three of the peak hours. The peak hours analyzed for a given intersection was dependent upon the periods during which the intersection would be noticeably affected and therefore would provide useful information.



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SOURCE: The Duffey Company; MUNI Map

Figure 28

Traffic Study Intersections and Bicycle Routes

Intersections more distant from the project site were not evaluated as part of the transportation study because project-related traffic dispersed among the local streets as it moves from the site cannot be accurately measured.

The transit study boundaries are Bryant and Harrison Streets to the north, Townsend Street to the south, The Embarcadero to the east, and First and Second Streets to the west. Parking occupancy surveys of off-street public parking spaces were conducted during the midday (1:00 to 3:30 p.m.) and evening (6:00 to 8:00 p.m.) periods. The parking study area is within a two-block radius of the project site and is bounded by Bryant and Harrison Streets to the north, Townsend Street to the south, The Embarcadero to the east, and First and Second Streets to the west.

REGIONAL AND LOCAL ROADWAYS

The project site is within an area of the city that is subject to traffic congestion during the afternoon commute, including the "p.m. peak hour," which is the hour of heaviest traffic volumes and typically occurs between 4:30 p.m. and 5:30 p.m. In particular, streets leading to the Bay Bridge on-ramps, including The Embarcadero, First Street, Harrison Street, and Bryant Street are congested, and drivers experience long delays in reaching the on-ramps. Drivers heading for I-80 westbound/U.S. 101 southbound also experience congestion and delays, particularly around the on-ramp at Fourth and Harrison Streets. Conditions on the I-80 freeway typically are also congested, with the worst congestion eastbound occurring near the Sterling Street on-ramp (near Second and Bryant Streets), and westbound, between Fifth Street and the U.S. 101 junction (just west of Ninth Street).[10]

Within the project vicinity, The Embarcadero, Bryant, King, Second, Third, and Fourth Streets, and a portion of Harrison and First Streets are designated in the Transportation Element of the *San Francisco General Plan* (General Plan) as Transit Preferential Streets. On these streets, priority is given to transit vehicles over autos during commute and business hours on weekdays, usually along curbside lanes. The Embarcadero is a Primary Transit Preferential Street and Citywide Bicycle Route #5 (Class II facility with bike lanes). Brannan Street is also a Primary Transit Preferential Street (between Fourth and Seventh Streets) and a Secondary Transit Preferential Street between Seventh and Eleventh Streets. The Embarcadero, Harrison (between The Embarcadero and Division Street), First, Third, Fourth, Howard, Bryant, Fremont, Folsom, and Main and Beale (between Washington and Mission) Streets are designated in the Transportation Element as Major Arterials, which the General Plan defines as "cross-town thoroughfares whose primary function is to link districts within the City and to distribute traffic from and to the freeways."

The Embarcadero runs along the eastern waterfront from Taylor Street in the Fisherman's Wharf area to King Street in South of Market, and is a main access road to Piers 1 to 45. The Embarcadero has two and three travel lanes in each direction and a dedicated MUNI light rail right-of-way in the median with

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[10] *Mission Bay Final Subsequent Environmental Impact Report* (Case No. 96.771E). City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, September 17, 1998.

transit stops at raised islands. Along The Embarcadero, metered parking is generally permitted on the landside. Some parking is available on the waterside in intermittent parking bays. Bryant Street extends from The Embarcadero in the South of Market to Precita Avenue in Peralta Heights. From The Embarcadero to Second Street, Bryant Street operates two-way in the east-west direction with two to three lanes. From Second Street to Eleventh Street, Bryant Street is a four-lane, one-way eastbound street. Parking is prohibited at all times between The Embarcadero and Main Street, on the north side of the street between Beale Street and the I-80 on-ramp at Sterling Street, and prohibited from 4:00 p.m. to 6:00 p.m. on the north side of the street between the on-ramp and Second Street.

Brannan Street operates in the east-west direction between The Embarcadero and Tenth Street, and has one travel lane in each direction. In the project vicinity, parking on Brannan Street is metered between The Embarcadero and Delancey Street and non-metered west of Delancey Street. Beale Street operates as a one-way street with three lanes running southbound from Market Street. All major intersections on Beale Street are signalized.

TRANSIT

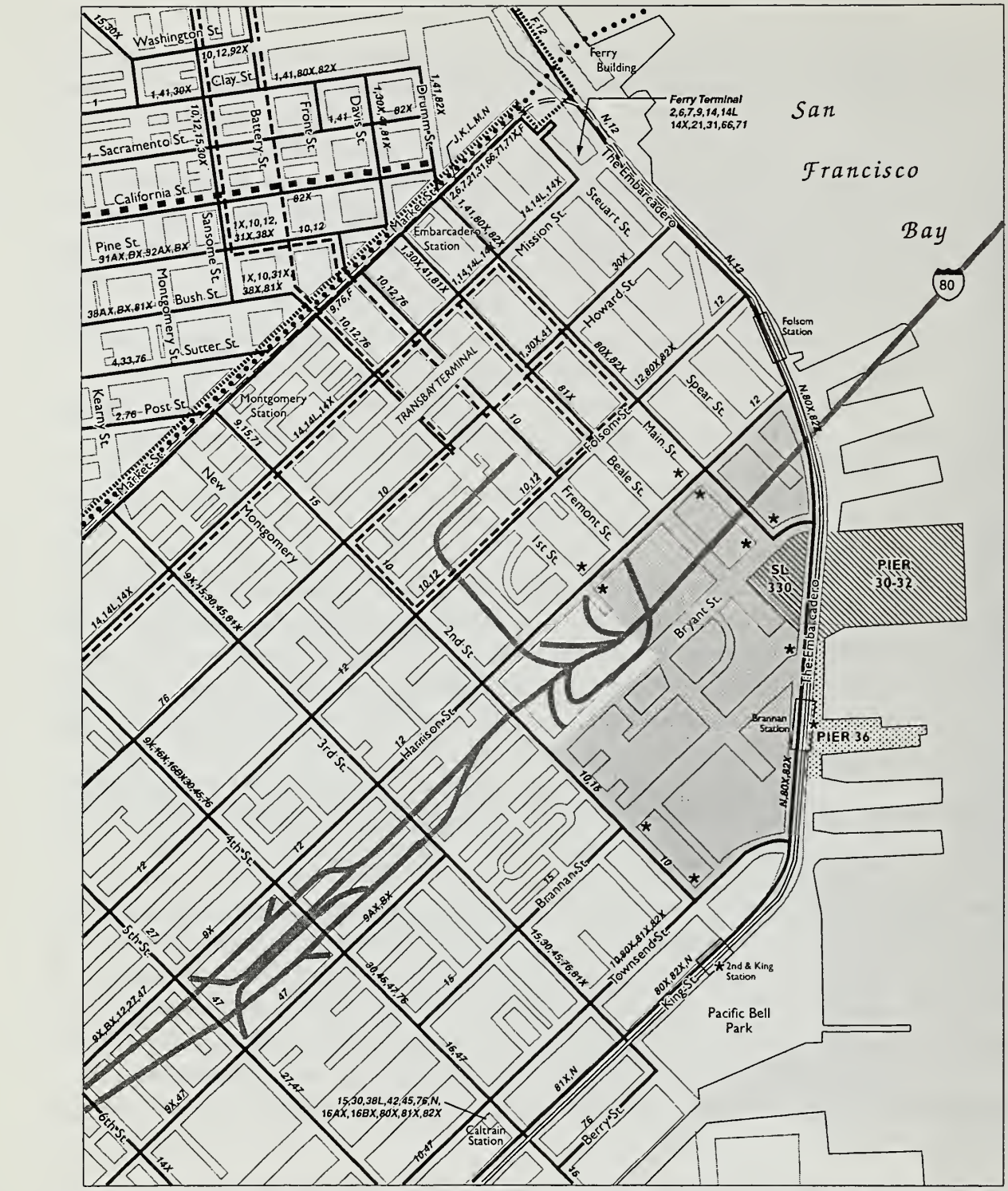
A high level of regional transit service is available within walking distance from the project site and may also be accessed via local transit service (see Figure 29 for existing transit routes and stops). The Transbay Transit Terminal is located one-half mile northwest of the project site on Mission and Fremont Streets and has AC Transit bus service to the East Bay, Sam Trans bus service to the Peninsula, and Golden Gate Transit bus service to the North Bay. The Embarcadero BART station is located approximately six-tenths of a mile northwest of the project site, with BART service to the East Bay and Peninsula. Downtown ferry terminals, located at Pier ½ and the Ferry Building, have ferry service to and from the North Bay and East Bay. The ferry terminals are located adjacent to The Embarcadero over one-half mile north of the project site.

The Caltrain Depot at Fourth and Townsend Streets is less than one mile southwest of the project site and runs commuter train service to the South Bay. The N-Judah MUNI Metro provides service to the Embarcadero BART station, which is located a few blocks from the ferry terminals, and to the Caltrain Depot. Currently, stops for approximately five MUNI bus lines and the N-Judah Metro line are within walking distance (considered one-quarter of a mile) of the project site. The two MUNI Metro stops closest to the project site are the Brannan Station, located just south of the site across from Pier 36 on The Embarcadero, and the Second and King Station, located three blocks to the south of the site on The Embarcadero.

PARKING

On-Site Parking

There are approximately 300 existing parking spaces on Pier 30-32 and approximately 500 parking spaces on Seawall Lot 330, for a total of 800 spaces. Monday to Friday, these facilities are generally



0 1000 FEET

MUNI Bus Routes
MUNI Metro (Surface)
MUNI Metro (subway)
F-Line
GG Transit
BART
Cable Car
Transit Stop
Cruise Terminal Mixed-Use Project Site
Brannan Street Wharf Project Site
Transportation Study Area

SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

SOURCE: The Duffey Company; MUNI Map

Figure 29
Existing Transit Routes and Stop Locations

used by commuters with little turnover of spaces. On weekdays, a parking shuttle operates between Seawall Lot 330 and downtown to provide convenient access to work destinations that are located long walking distances from the site. On game days at Pac Bell Park, these two parking lots are used for ballpark parking. Tour buses from the Fisherman's Wharf area also use the Pier 30-32 parking lot as a staging and parking area while their passengers are touring Fisherman's Wharf.

Vehicles enter the Pier 30-32 parking lot from The Embarcadero at the east approach to the Bryant Street intersection. There is also a curb cut and vehicle access point at the south side of Pier 30-32. Vehicles currently enter Seawall Lot 330 on Bryant Street between Main and Beale Streets. As a result of the proposed project, the existing parking spaces would be eliminated, but a total of 800 spaces would be provided in the project's parking garages. The driveway for Pier 30-32 would remain at the Bryant Street intersection. The driveway for Seawall Lot 330 would be moved to Beale Street.

Off-Street Parking Facilities

According to the *South of Market Parking Study*,[11] the larger South Beach/China Basin area has approximately 4,640 parking spaces within off-street parking facilities. These were reported to be 90 percent occupied during the midday and 59 percent occupied during the evening.

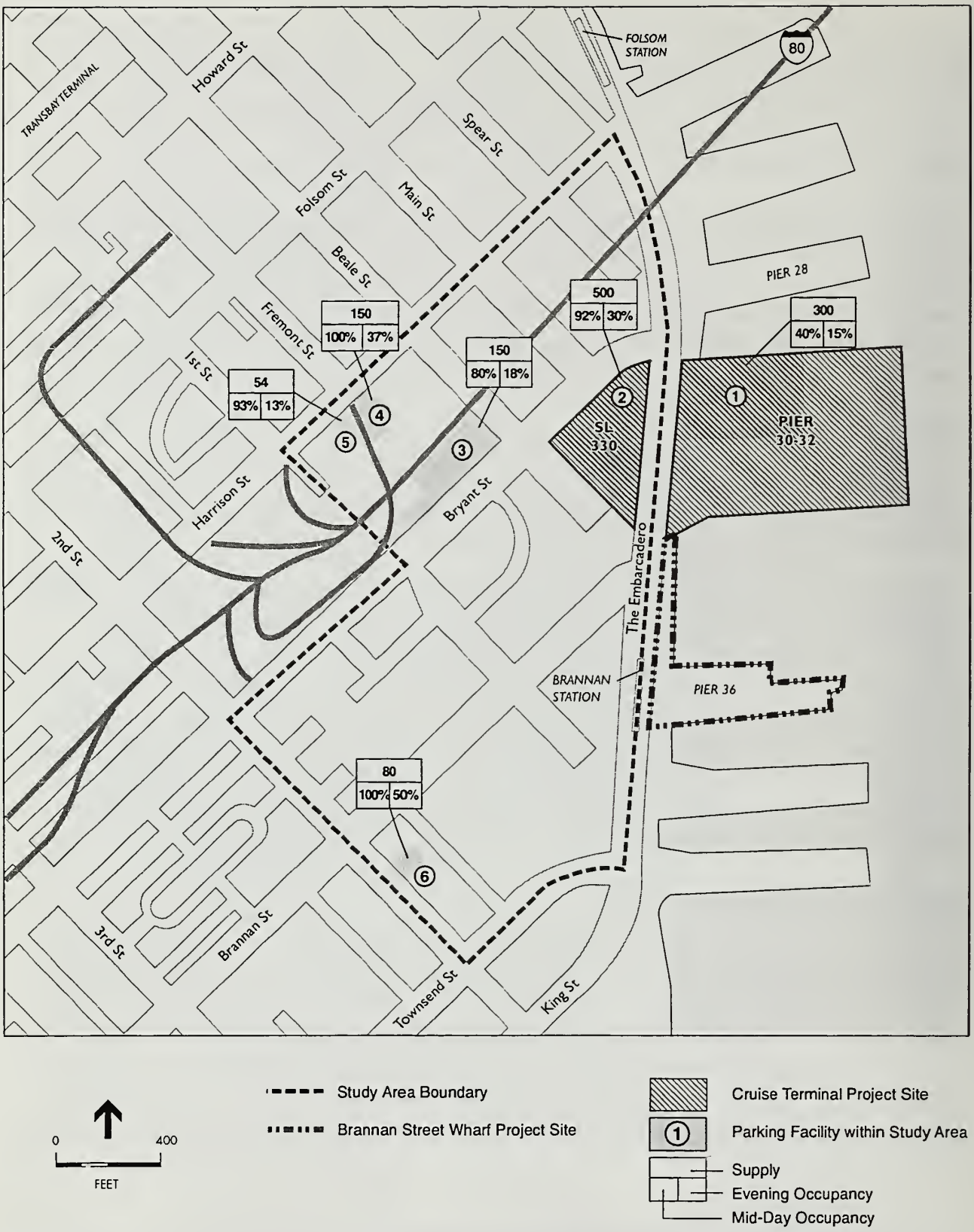
There are six public off-street parking facilities (surface lots) within the parking study area including the facilities that occupy the project site (see Figure 30). Collectively these facilities can accommodate about 1,265 automobiles. The midday and evening occupancy of these facilities were surveyed on January 31 and February 8, 2001, respectively. During the midday (1:00 to 3:30 p.m.), five of the six parking lots were between 80 to 100 percent occupied. This is consistent with the findings of the *SOMA Parking Study*. In contrast, the parking facility on Pier 30-32 was about 40 percent occupied (parking on piers was not included in the SOMA study). Collectively, the midday occupancy of all the facilities in the project vicinity was 78 percent. During the evening (6:00 to 8:00 p.m.), the occupancy of the six facilities ranged from 13 to 50 percent, which yielded a collective occupancy of 26 percent.[12]

On-Street Parking Facilities

On-street parking is permitted on all streets within the parking study boundary. There is a combination of metered and non-metered spaces. Some non-metered spaces require residential permits for parking over two hours. Parking is prohibited at all times on sections of The Embarcadero (east side between Brannan and Townsend Streets) and Bryant Street (between The Embarcadero and Main Street and on the north side between Beale and Rincon Streets). On weekdays between 4:00 to 7:00 p.m., parking is prohibited on the east side of Second Street between Brannan and Bryant Streets. On weekdays between 4:00 and 6:00 p.m. parking is prohibited on the north side of Bryant Street between Second Street and the

[11] *South of Market Parking Study*, San Francisco Department of Parking and Traffic, August 21, 2000.

[12] The difference in evening occupancy may be attributed to seasonal differences. The SOMA counts were conducted in fall of 1999 while the Bryant Street Cruise Terminal counts were conducted in winter 2001.



SF Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project / 990459 ■

SOURCE: The Duffey Company

Figure 30
Off-Street Parking Facilities and Occupancy

I-80 on-ramp at Sterling Street. These restrictions open up an extra curb lane on Second and Bryant Streets to facilitate vehicular access to the I-80 Sterling Street on-ramp.

According to the *SOMA Parking Study*, the larger South Beach/China Basin area has approximately 2,240 on-street parking spaces. The weekday occupancy of these spaces was reported at 97 percent in the midday and 58 percent in the evening. The midday and evening occupancy of on-street parking spaces within the project study area were collected on January 31 and February 8, 2001, respectively. The midday occupancy was observed at 95 percent, which is consistent with the findings of the *SOMA Parking Study*. The evening occupancy was observed at 85 percent. In contrast to the larger South Beach/China Basin area, the project study area has a concentration of residential uses and restaurants, which results in a higher evening demand for on-street parking spaces.

PEDESTRIANS/BICYCLES

There is moderate to light pedestrian traffic in the project vicinity. On a daily basis there is pedestrian traffic along the streets within the residential neighborhoods of South Beach and Rincon Point. There is also recreational pedestrian use of the stretch of The Embarcadero between Pac Bell Park and the northern waterfront area. On days when events take place at Pac Bell Park, there is heavy pedestrian traffic in the project area, particularly on King Street and along north-south streets that lead to the regional transit connections. Sidewalks range from seven to 25 feet in width. Bicycle routes serving the area are indicated on Figure 28, above.

IMPACTS

SIGNIFICANCE CRITERIA

In San Francisco, a project typically is considered to have a significant effect on the environment under the Existing Plus Project condition if: the existing intersection service level would deteriorate from an acceptable level to an unacceptable level (from LOS D[13] or better to LOS E or F); the existing intersection service level would deteriorate from LOS E to LOS F; or if intersection delays are substantially increased for an intersection already operating at LOS F. Under the Cumulative 2020 condition, for intersections that are operating at LOS E or F and where the project contribution to cumulative growth would be five percent or greater, the project contribution to the traffic volumes at the critical movements[14] are evaluated further. Based on the additional analysis, when it is determined that the project contribution to a critical movement would be substantial, the project impact would be considered significant.

[13] Level of service (LOS) analysis provides a standardized means of rating an intersection's operating characteristics on the basis of traffic volumes, intersection capacity and delays. LOS A represents free-flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco.

[14] The critical movement is defined as the intersection approach where service levels are at LOS F.

The City has not formally adopted significance criteria for potential impacts related to transit, but City policy has been that a project would have a significant effect if it would cause a substantial increase in transit demand that cannot be accommodated by existing or proposed transit capacity, resulting in unacceptable levels of transit service.

Regarding parking, *General Plan* policies emphasize the importance of public transit and discourage the provision of facilities that encourage automobile use. Further, a parking shortfall relative to demand is considered to be a social effect and does not, in and of itself constitute a physical impact on the environment, as defined by CEQA. Faced with parking shortages, drivers generally seek and find alternative parking facilities or shift to different modes of travel. However, secondary effects of a parking deficit could lead to physical environmental impacts such as increase traffic congestion and air pollution. Such secondary effects have been analyzed as part of the transportation analysis summarized here. Therefore, the creation of or increase in parking demand resulting from a proposed project that cannot be met by existing or proposed parking facilities would not itself be considered a significant effect.

For pedestrian or bicycle impacts in this analysis, the project would have a significant effect if it were to result in substantial pedestrian overcrowding, create particularly hazardous conditions for pedestrians or bicyclists, or otherwise substantially interfere with pedestrian and bicycle accessibility. Generally, construction-period transportation impacts would not be considered significant because they would be temporary.

IMPACT ANALYSIS

Project-specific impacts are described here, as are projected cumulative impacts for the year 2020. Because the project vicinity includes a number of projects that are currently under construction, under review, or already approved but not yet built, this analysis also describes cumulative impacts for conditions that are anticipated to exist in the project vicinity if all of these projects are completed. As mentioned above, because the project would include some program components that would operate consistently throughout the year and others that would be episodic during distinct portions of the year, this discussion includes Base Case, Cruise Season and Off-Season analyses of Existing Plus Project and Cumulative conditions.

Subsequent to the preparation of the transportation analysis, the office component of the project description was reduced from 460,000 gsf to 370,000 gsf to comply with legislative restrictions imposed by AB 1389 (described above in III.A, Land Use, Plans, and Policies). The resulting reduction in person trips generated from the project would be approximately two percent during the PM peak hour, six percent during the AM peak hour, and one percent during the Weekend peak hour. Therefore, the transportation analysis presents a slightly more conservative assessment of the transportation impacts than would actually be expected to result from the proposed project and is a valid analysis for the revised project.

Travel Demand Analysis

As indicated in Table 2, the project would generate about 45,382[15] net new person trips per day under Base Case conditions, 58,432 during the Cruise Season, and 48,982 during the Off-Season. The AM, PM, and Weekend peak hour person trip generation estimates for each proposed land use are summarized in Table 3. The project would generate the greatest number of person trips, 5,497, during the PM peak hour of the Off-Season (11% of total daily trips), slightly more than the 5,491 person trips and 5,445 person trips (both 9% of daily trips) during the Cruise Season PM peak and Weekend peak hours, respectively. Base Case condition person trips would be 5,011 during the PM peak (11% of daily trips).

TABLE 2
DAILY PERSON TRIPS FOR PROPOSED USES

Land Use	Unit of Measure	Proposed Size	Daily Trip Rate	Daily Person Trips	Adjusted Daily Person Trips
Office	1000 gross sq. ft.	460,000[1]	18.10	8,326	7,493
Retail	1000 gross sq. ft.	103,000	150.00	15,450	13,905
Grocery	1000 gross sq. ft.	15,800	300.00	4,740	4,266
Restaurant	1000 gross sq. ft.	46,200	200.00	9,240	8,316
Entertainment/Jazz Club	1000 gross sq. ft.	25,000	308.00	7,700	6,930
Cinema	Seats	1,300	1.13	1,469	1,322
Residential	Dwelling units	350	10.00	3,500	3,150
TOTAL Base Case				**50,425**	**45,382**
Cruise Terminal	Passengers	3,000	3.00	9,000	9,000
TOTAL Cruise Season				**59,425**	**54,382**
Assembly/Event	1000 gross sq. ft.	20,000	200.00	4,000	3,600
TOTAL Off-Season				**54,425**	**48,982**

[1] As mentioned above, for purposes of this analysis, the Cruise Terminal project was assumed to include 460,000 gsf of office space rather than 370,000 gsf.

SOURCE: The Duffey Company from *Interim Transportation Impact Analysis Guidelines for Environmental Review*, Interim Edition, San Francisco Planning Department, January 2000; Institute of Traffic Engineers (ITE) 6th Edition Trip Generation Manual, 1977, Korve Engineering San Francisco and Los Angeles Cruise Terminal Trip Generation Studies, April/May 2000.

[15] As explained on in Section 3.1 of the Transportation Impact Study, this figure represents a ten percent adjustment made for linked trips. All subsequent figures discussed in this section are similarly based on the adjusted calculations.

TABLE 3
PROPOSED PROJECT PERSON TRIPS - AM, PM, AND WEEKEND PEAK HOURS

Land Use	AM Peak Hour		PM Peak Hour		Weekend Peak Hour	
	% of Daily	Person Trips	% of Daily	Person Trips	% of Daily	Person Trips
Office	8.9%	667	8.5%	637	3.7%	277
Retail	2.5%	348	9.0%	1,251	11.6%	1,613
Grocery	2.3%	98	8.0%	341	13.9%	593
Restaurant	1.5%	125	13.5%	1,123	12.0%	998
Entertainment/Jazz Club	1.5%	104	13.5%	936	12.0%	832
Cinema	0.0%	0	13.5%	178	18.0%	238
Residential	15.5%	488	17.3%	545	8.4%	264
TOTAL Base Case		**1,830**		**5,011**		**4,815**
Cruise Terminal	4.7%	420	5.3%	480	7.0%	630
TOTAL Cruise Season		**2,250**		**5,491**		**5,445**
Assembly/Event (off-season)			13.5%	486		
TOTAL Off-Season				**5,497**		

SOURCE: The Duffey Company from *Interim Transportation Impact Analysis Guidelines for Environmental Review*, San Francisco Planning Department, January 2000; Institute of Traffic Engineers (ITE) 6th Edition *Trip Generation Manual*, 1977, Korve Engineering *San Francisco and Los Angeles Cruise Terminal Trip Generation Studies*, April/May 2000.

During the PM peak hour, the largest trip generating uses would be the general retail, entertainment space, and restaurants. Relative to the PM (weekday) peak hour, during the Weekend peak hour the project would generate approximately the same number of person trips during the Cruise Season and approximately 4% fewer trips under Base Case conditions. The number of trips generated during the AM peak hour would be substantially fewer, with approximately forty percent the number of trips during the Cruise Season and approximately one third the number of trips under Base Case conditions, when compared to the PM peak hour.

The net peak hour vehicle trips generated by the project are summarized in Table 4. The greatest number of net new vehicle trips would be generated during the Cruise Season Weekend peak hour. The net new vehicle trips are at the highest level during the weekend as the lowest level of current trip activity occurs at the site's parking lots during the Weekend peak hour. The next highest number of net new vehicle trips would occur during the weekday PM peak hour of both the Cruise Season and Off-Season. Under Base Case conditions, slightly fewer net new trips would occur during the weekday PM peak hour. This trip activity would coincide with the existing congested PM peak hour commute.

TABLE 4
NET PEAK HOUR VEHICLE TRIPS FOR THE PROPOSED PROJECT

	Net AM Peak Hour Vehicle Trips	Net PM Peak Hour Vehicle Trips			Net Weekend Peak Hour Vehicle Trips
	Cruise Season	Base Case	Cruise Season	Off-Season	Cruise Season
San Francisco	64	303	340	340	433
Northeast SF	*9*	*62*	*75*	*68*	*111*
Northwest SF	*17*	*85*	*94*	*96*	*117*
Southeast SF	*24*	*95*	*105*	*107*	*126*
Southwest SF	*14*	*61*	*66*	*69*	*79*
East Bay	26	83	94	94	112
North Bay	16	63	67	71	76
South Bay	43	109	117	119	130
Other	31	109	121	120	163
TOTAL	**180**	**667**	**739**	**744**	**914**

SOURCE: The Duffey Company

Traffic Impacts

Under existing conditions, of the eleven signalized and two unsignalized intersections studied, only the intersection of Harrison/First currently operates at an unacceptable level (LOS F) in the PM peak hour. The intersections of The Embarcadero/Howard, The Embarcadero/Folsom, The Embarcadero/Bryant Harrison/Main, Harrison/Fremont, Second/King, and Third/King currently operate at LOS D, while all other study intersections operate at LOS B or C in the PM peak hour. In the AM peak hour, all of the seven signalized intersections studied operate at an acceptable level (LOS D). During the Weekend peak hour, six of the seven intersections studied operate at LOS B, while Third/King operates at LOS C.

The *1994 Highway Capacity Manual* methodology was used to analyze the study intersections for two future scenarios: Existing Plus Project and Cumulative 2020. The Base Case, Cruise Season, and Off-Season conditions were analyzed for these future scenarios in the PM peak hour. The Cruise Season condition was analyzed for the future scenarios in the AM and Weekend peak hours. Traffic impacts directly related to the proposed project are assessed in the Existing Plus Project scenario. For the Cumulative analysis, a one percent growth rate per year was applied to the existing (2000) traffic volumes at each study intersection. Adjustments were made at each intersection, as required, to ensure that project related trips were included in the Cumulative 2020 analysis.

Impacts were assessed primarily for the PM peak hour (weekday), as that would be the period during which there would be the greatest potential for project-related impacts. For relevant intersections, the AM peak hour (weekday) and Weekend peak hour conditions were also studied. All three peak hour conditions are presented below. An additional qualitative analysis of traffic conditions on a game day at

Pacific Bell Park and additional analyses of conditions with either multiple ships berthed at the site (Cruise Season) or a large event occurring at the cruise terminal (Off-Season) are also provided.

Weekday PM Peak Hour

The weekday PM peak hour was evaluated for the Base Case, Cruise Season, and the Off-Season conditions. Table 5 provides the intersection levels of service for existing and future project conditions during the Weekday PM peak hour.

Existing Plus Project. Under all three conditions, five intersections would operate at LOS E or F with the implementation of the project. The intersections of Second/King and Third/King would deteriorate from LOS D under Existing Conditions to LOS E. The intersections of The Embarcadero/Bryant and Harrison/Fremont would deteriorate from LOS D under Existing Conditions to LOS F. The intersection of Harrison/First would continue to operate at LOS F as it does under Existing Conditions, but delays would increase substantially with the implementation of the project. As such, the proposed project would result in significant traffic impacts at all five of these intersections under all conditions in the PM peak hour.

Implementation of measures that would widen and realign the intersection of The Embarcadero/Bryant Street to add a third travel lane to the eastbound approach (see Chapter IV, Mitigation Measure C.1a) and that would modify the southbound traffic signal at that intersection so that the left-turn movement would have a green arrow instead of a flashing yellow left-turn signal (Measure C.1b) would reduce delays slightly, but unacceptable (LOS F) conditions caused by the project during the PM peak hour would remain. The additional lane would separate through traffic from the turning movements, but would not be able to adequately facilitate the high volume of vehicles turning onto The Embarcadero during PM peak hour. Therefore, even with mitigation, the proposed project would result in a significant impact at this intersection during the PM peak hour.

Because of the configurations of each of the other four intersections that restrict their modification to accommodate additional capacity, no specific measures that would modify those intersections are provided. It is recommended, however, that a Transportation Demand Management (TDM) program (identified as Mitigation Measure C.2) be implemented to reduce potential automobile trips to and from the project site, and to reduce related impacts, such as the demand for parking. The project sponsor is proposing to implement such a program (included in the Transportation Impact Study as Appendix H) to encourage the use of alternative travel modes. A second general measure (Mitigation Measure C.3) is recommended that would require the project sponsor to contribute to the Department of Parking and Traffic's Intelligent Transportation Management System program to install changeable message signs, video cameras, and other traffic flow control devices. Implementation of these programs would not reduce the impact at any intersection to a less than significant level.

TABLE 5
INTERSECTION LEVEL OF SERVICE – WEEKDAY PM PEAK HOUR

Intersection (Signalized unless otherwise noted)	Existing			Season	Existing Plus Project			Cumulative 2020				
	Delay	LOS	V/C		Delay	LOS	V/C	Delay	LOS	V/C	Proj.% Total Vol.	Proj.% Cumul. Growth
Signalized Intersections												
The Embarcadero/Howard	27.5	D		Base	38.4	D	--	49.6	E	0.79	3.1%	19.3%
				Cruise	39.8	D	--	49.6	E	0.79	3.5%	21.6%
				Off	40.0	D	--	49.6	E	0.79	3.5%	21.7%
The Embarcadero/Folsom	25.5	D		Base	34.6	D	--	47.0	E	0.87	1.8%	8.4%
				Cruise	35.7	D	--	47.0	E	0.87	2.0%	9.2%
				Off	35.8	D	--	47.0	E	0.87	2.0%	9.3%
The Embarcadero/Harrison	16.3	C		Base	18.0	C	--	25.8	D	--	--	--
				Cruise	18.2	C	--	25.8	D	--	--	--
				Off	18.2	C	--	25.8	D	--	--	--
The Embarcadero/Bryant	32.3	D		Base	>60.0	F	1.09	>60.0	F	1.33	11.6%	43.4%
				Cruise	>60.0	F	1.18	>60.0	F	1.39	12.7%	45.8%
				Off	>60.0	F	1.17	>60.0	F	1.38	12.7%	45.8%
The Embarcadero/Brannan	22.1	C		Base	31.6	D	--	41.2	E	0.86	8.8%	49.6%
				Cruise	33.2	D	--	41.3	E	0.86	9.6%	53.0%
				Off	33.0	D	--	41.3	E	0.87	9.7%	53.3%
Harrison/Main	28.1	D		Base	29.4	D	--	>60.0	F	0.95	7.5%	35.5%
				Cruise	29.4	D	--	>60.0	F	0.96	8.4%	38.2%
				Off	29.4	D	--	>60.0	F	0.96	8.4%	38.2%
Harrison/Fremont	38.7	D		Base	>60.0	F	0.98	>60.0	F	1.01	6.9%	39.7%
				Cruise	>60.0	F	1.00	>60.0	F	1.02	7.7%	44.1%
				Off	>60.0	F	1.00	>60.0	F	1.02	7.7%	43.9%
Harrison/First	>60.0	F	1.25	Base	>60.0	F	1.28	>60.0	F	1.41	2.6%	16.1%
				Cruise	>60.0	F	1.28	>60.0	F	1.41	3.0%	18.5%
				Off	>60.0	F	1.28	>60.0	F	1.41	2.9%	18.3%
Second/King	31.7	D		Base	42.6	E	0.87	59.8	E	0.94	5.9%	36.9%
				Cruise	44.3	E	0.87	59.8	E	0.94	6.5%	40.4%
				Off	44.3	E	0.87	59.8	E	0.94	6.5%	40.4%
Third/King	36.2	D		Base	44.7	E	0.97	>60.0	F	1.06	4.3%	27.1%
				Cruise	45.9	E	0.97	>60.0	F	1.06	4.7%	29.7%
				Off	45.7	E	0.97	>60.0	F	1.06	4.7%	29.7%
Fourth/King	22.0	C		Base	26.3	D	--	41.7	E	0.82	3.9%	24.3%
				Cruise	26.7	D	--	41.7	E	0.82	4.2%	26.4%
				Off	26.8	D	--	41.7	E	0.82	4.2%	26.5%
Unsignalized Intersections								*Signalized Intersections*				
Bryant/Main	6.8/8.8	B/B		Base	6.4	B	--	6.7	B	--	--	--
				Cruise	6.4	B	--	6.7	B	--	--	--
				Off	6.4	B	--	6.7	B	--	--	--
Bryant/Beale	9.5/11.2	B/C		Base	12.1	B	--	12.7	B	--	--	--
				Cruise	12.1	B	--	12.7	B	--	--	--
				Off	12.1	B	--	12.7	B	--	--	--

NOTES: During the Off-season, the cruise terminal would be used for assemblies and events instead of cruise ship operations. Delay expressed as an average delay in seconds per vehicle. For unsignalized intersections, the delay and LOS shown are for the overall intersection and worst approach (intersection/worst approach). The delay is the average wait that a motorist would experience when traveling through the intersection. The intersections of Bryant/Main and Bryant/Beale were signalized in summer 2001. Because counts for the intersections were conducted prior to signalization, the intersections were analyzed as unsignalized for existing conditions.

SOURCE: The Duffey Company

As such, the project would result in significant unavoidable impacts at The Embarcadero/Bryant, Second/King, Third/King, Harrison/First, and Harrison/Fremont intersections under PM peak hour conditions.

Cumulative 2020. Under all conditions, all but three intersections would operate at unacceptable levels during the PM peak hour. The Embarcadero/Harrison would operate at LOS D, while the Bryant/Main and Bryant/Beale intersections would operate at LOS B. The Embarcadero/Howard, The Embarcadero/Folsom, Second/King, The Embarcadero/Brannan, and Fourth/King intersections would all degrade from an acceptable level under existing conditions (the first three from LOS D, the latter two from LOS C) to operate at LOS E. Of the remaining five intersections, all of which would operate at LOS F, only the Harrison/First intersection currently operates at an unacceptable level (LOS F).

Further assessment of the project-related impacts to these intersections determined the project contribution to total cumulative traffic volumes and the project contribution to the traffic growth between the Existing and Cumulative conditions (see the last two columns of Table 5). The proposed project would contribute approximately two to thirteen percent of total volumes at all ten intersections that would operate at an unacceptable level. The project would contribute over eight percent of the cumulative growth at each of these intersections. Based on an analysis of the critical movements, the project would contribute more than 35 percent of the growth to the critical movements at eight of the ten of these intersections, including: The Embarcadero/Howard, The Embarcadero/Folsom, The Embarcadero/Bryant, The Embarcadero/Brannan, Harrison/Fremont, Harrison/First, Second/King, and Third/King. As such, the proposed project would result in significant cumulative traffic impacts at these eight study area intersections.

Implementation of Mitigation Measure C.4, which would add a third travel lane to the eastbound approach of the intersection of The Embarcadero/Howard, would improve operational conditions at that intersection from LOS F to E, but would not reduce impacts to a less than significant level.

As under Existing Plus Project conditions, no operational improvements were identified to mitigate the project contributions to significant impacts at The Embarcadero/Folsom, The Embarcadero/Brannan, Harrison/Fremont, Harrison/First, Second/King, and Third/King intersections because the existing street configuration along The Embarcadero and at intersections along King and Harrison Streets are restricted and cannot be modified to accommodate additional capacity without compromising the pedestrian environment or transit facilities and service. The implementation of improvements identified in Mitigation Measure C.1 to The Embarcadero/Bryant intersection would improve conditions during the PM peak hour, but not to an acceptable level of service. Similarly, and as would be the case for Existing Plus Project conditions, implementation of Mitigation Measures C.2 and C.3 would not reduce impacts to less than significant levels under Cumulative conditions.

As such, the project would result in significant unavoidable impacts at The Embarcadero/Bryant, The Embarcadero/Howard, The Embarcadero/Folsom, The Embarcadero/Brannan, Harrison/Fremont, Harrison/First, Second/King, and Third/King intersections under Cumulative PM peak hour conditions.

Weekday AM Peak Hour

Table 6 provides the intersection levels of service for existing and future project conditions during the Weekday AM peak hour. The AM peak hour was analyzed for the Cruise Season only, as this scenario would generate the greatest number of trips in the AM peak hour.

TABLE 6
INTERSECTION LEVEL OF SERVICE –WEEKDAY AM PEAK HOUR, CRUISE SEASON

Intersection	Existing			Existing Plus Project			Cumulative 2020				
	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Proj. % of Total Vol.	Proj. % of Cumul. Growth
The Embarcadero/Folsom	35.6	D	--	33.9	D	--	**>60.0**	**F**	**0.95**	-0.3%	-1.3%
The Embarcadero/Harrison	34.8	D	--	37.7	D	--	**>60.0**	**F**	**1.02**	0.6%	3.6%
The Embarcadero/Bryant	34.1	D	--	**>60.0**	**F**	**0.89**	**>60.0**	**F**	**0.97**	**2.0%**	**10.4%**
The Embarcadero/Brannan	27.0	D	--	30.2	D	--	**>60.0**	**F**	**0.91**	**2.8%**	**17.3%**
Harrison/Fremont	32.1	D	--	35.4	D	--	**>60.0**	**F**	**0.98**	**1.2%**	**11.7%**
Third/King	39.2	D	--	**41.5**	**E**	**0.88**	**>60.0**	**F**	**1.04**	**1.2%**	**7.6%**
Fourth/King	34.9	D	--	36.6	D	--	**>60.0**	**F**	**0.98**	**1.9%**	**7.5%**

NOTES: Delay expressed as an average delay in seconds per vehicle. The delay at The Embarcadero/Folsom decreases with the project due to the estimated reduction of 14 vehicles at that intersection.

SOURCE: The Duffey Company

Existing Plus Project. During the Cruise Season, all but two of the study area intersections would continue to operate at acceptable levels of service. The Embarcadero/Bryant intersection would degrade from LOS D to LOS F and the Third/King intersection would degrade from LOS D to LOS E. Although delays would generally increase slightly, operations would remain unchanged (LOS D) at the other five intersections.

As such, the proposed project would result in significant impacts at two intersections during the AM peak hour. Implementation of a mitigation measure that would widen and realign the intersection of The Embarcadero/Bryant Street to add a third travel lane to the eastbound approach (see Mitigation Measure C.1) would reduce delays slightly, but unacceptable (LOS F) conditions caused by the project during the AM peak hour would remain. The additional lane would separate through traffic from the turning movements, but would not be able to adequately facilitate the high volume of vehicles turning onto The Embarcadero during AM peak hour. Therefore, even with mitigation, the proposed project would result in a significant impact at this intersection. Similarly, implementation of a TDM program or contribution to DPT's ITMS program (Mitigation Measures C.2 and C.3) would potentially lessen the delays at these intersections, but not to a less than significant level. Therefore, the project would result in significant unavoidable impacts at the intersections of The Embarcadero/Bryant and Third/King under AM peak hour conditions.

Cumulative 2020. In the Cumulative 2020 condition, service levels at all seven intersections would degrade from LOS D to LOS F. The proposed project would contribute minimally (less than three percent) to the total traffic volumes at these intersections, but the project contribution to the cumulative growth in traffic volumes would be greater than five percent at five of the intersections, including: The Embarcadero/Bryant, The Embarcadero/Brannan, Harrison/Fremont, Third/King, and Fourth/King. To determine the significance of the project impacts on this growth, the project's contribution to critical movements at these intersections was analyzed.

Based on an analysis of the critical movements, the project would contribute more than five percent to the critical movements at The Embarcadero/Brannan and Third/King intersections. Because the current configurations at these intersections are restricted and cannot be modified to accommodate additional capacity, no operational improvements were identified to mitigate the project contribution to significant impacts at these intersections. Therefore, the project would result in a significant impact at both intersections. As would be the case for Existing Plus Project conditions, implementation of a TDM program or contribution to DPT's ITMS program (Mitigation Measures C.2 and C.3) would potentially lessen the delays at these intersections, but not to a less than significant level. As such, the project would result in significant unavoidable impacts at the intersections of The Embarcadero/Brannan and Third/King under Cumulative AM peak hour conditions.

Weekend Peak Hour

Table 7 provides the intersection levels of service for existing and future project conditions during the Weekend peak hour. The Weekend peak hour was analyzed for the Cruise Season only, as this scenario would generate the greatest number of trips in the Weekend peak hour.

TABLE 7
INTERSECTION LEVEL OF SERVICE – WEEKEND PEAK HOUR, CRUISE SEASON

Intersection (Signalized unless otherwise noted)	Existing		Existing Plus Project			Cumulative 2020				
	Delay	LOS	Delay	LOS	V/C	Delay	LOS	V/C	Proj. % Total Vol.	Proj.% Cumul. Growth
The Embarcadero/Howard	14.9	B	16.6	C	--	19.5	C	--	--	
The Embarcadero/Folsom	13.0	B	13.8	B	--	15.3	C	--	--	
The Embarcadero/Harrison	10.7	B	11.1	B	--	11.9	B	--	--	
The Embarcadero/Bryant	13.6	B	**>60.0**	**F**	**0.86**	**>60.0**	**F**	**1.01**	**22.0%**	**54.6%**
The Embarcadero/Brannan	12.0	B	13.4	B	--	13.8	B	--	--	
Third/King	22.7	C	23.0	C	--	33.4	D	--	--	
Fourth/King	14.2	B	14.5	B	--	15.5	C	--	--	

NOTES: During the off-season, the cruise terminal would be used for assemblies and events instead of cruise ship operations. Delay expressed as an average delay in seconds per vehicle.

SOURCE: The Duffey Company

Existing Plus Project. The overall traffic conditions at the seven intersections analyzed would be less congested during the Weekend peak hour than during the weekday peaks. With implementation of the proposed project, only one intersection (The Embarcadero/Bryant), which directly serves the project site, would operate at an unacceptable level, degrading from LOS B to LOS F. As such, the proposed project would result in a significant traffic impact at this intersection. Implementation of a mitigation measure that would widen and realign the intersection of The Embarcadero/Bryant Street to add a third travel lane to the eastbound approach (see Mitigation Measure C.1) would improve intersection operating conditions to LOS C, an acceptable level of service. Therefore, with implementation of Mitigation Measure C.1, the proposed project would not result in a significant impact at this intersection.

Cumulative 2020. Under the Cumulative 2020 condition, six of the seven intersections would continue to operate at acceptable levels. The Embarcadero/Bryant intersection, however, would degrade from LOS B to LOS F. The project would contribute substantially to both the total traffic volume (22 percent) and the cumulative growth (95 percent at the westbound-through critical movement) at the intersection. As such, in the Weekend peak hour, the project would have a significant impact on The Embarcadero/Bryant intersection.

Like the Existing Plus Project Weekend peak hour condition, implementation of a mitigation measure that would widen and realign the intersection of The Embarcadero/Bryant Street to add a third travel lane to the eastbound approach (see Mitigation Measure C.1) would improve intersection operating conditions to LOS C, an acceptable level of service. Therefore, with implementation of Mitigation Measure C.1, the proposed project would not result in a significant impact at this intersection.

Pac Bell Park Game Day Traffic

The potential for overlapping impacts between the proposed project and games at Pac Bell Park would occur in two different time periods. Games with an early afternoon start that could run beyond 3:30 or 4:00 PM or evening games that could start between 4:00 and 6:00 PM would have the greatest potential for overlapping with the increased peak hour traffic associated with the project.

Previously completed environmental studies for the ballpark noted that the average length of a baseball game was three hours.[16] The Giants have scheduled most afternoon games for an early start time of 12:35 p.m. to ensure that the majority of games would be over before 4:00 p.m. and therefore would not interfere with the afternoon commute. The published schedule for the 2001 Baseball season indicates that two out of 84 home games are scheduled to start at 1:05 and one weekday game is scheduled to start at 4:05 PM. As a result, the number of times when peak traffic to and from the ballpark would be most likely to overlap with the peak commute for the proposed project would be limited.

Since the opening of Pac Bell Park last spring, the San Francisco Department of Parking and Traffic has been monitoring transportation conditions in the vicinity of the ballpark and have observed minor delays

[16] *San Francisco Giants Ballpark at China Basin Final Environmental Impact Report, Volume 1, 96.176E*, June 26, 1997, San Francisco Planning Department.

to traffic during and after weekday and weeknight games.[17] A major campaign was undertaken to encourage baseball game attendees to use alternative means of travel from the private auto to get to the ballpark due to the limited supply of parking provided at or near the site. A mode split study conducted by the Department of Parking and Traffic noted that automobile use was considerably lower than anticipated and attendees took advantage of a high level of transit access to the site. Due to the mode splits achieved, the traffic and parking problems were much less than anticipated at the ballpark.

The key locations experiencing congestion when a game occurs are King Street and Third Street. Eastbound King Street, between Third and Second Streets, is temporarily closed at game times to accommodate the heavy pedestrian flows across King Street to Pac Bell Park.[18] This disrupts direct access from I-280 along King Street and The Embarcadero and requires traffic rerouting north at Third Street. Vehicles queue up west of Third Street on King Street as a result of this street closure. After the game, Third Street south of King Street is congested as traffic is funneled from the parking lots south of the channel across the Third Street Bridge, which becomes temporarily reduced to one travel lane to accommodate pedestrian flows. The capacity constraints at the Third/King intersection further restrict access along the Third Street corridor, so the temporary delays south of the bridge limit traffic flows to the already congested intersection.

Upon implementation of the Cruise Terminal project, increased congestion is expected along King Street at the Second, Third, and Fourth Street intersections. In instances when the Pac Bell Park traffic disruptions would coincide with the PM peak hour, the peak hour congestion along King Street would be compounded. At times when a ball game and a cruise ship docking would overlap in the mid-day, the potential for problems similar to those that currently exist during the afternoon commute period would result. It is anticipated that during these mid-day periods, the congestion experienced at the Second/King and the Third/King intersections would be comparable to the level of congestion currently experienced at these intersections during an afternoon commute period that overlaps with the arrival or departure period for a baseball game.

Based on current schedules, the potential for a midday baseball game to occur on the same day as a cruise ship docking would be ten or fewer days of the year (three percent), although the two events would not necessarily occur at the same time. Furthermore, the chance that Off-Season special events at the Cruise Terminal would overlap with baseball game traffic during the midday would be unlikely, since special events would most likely occur in the evening or outside the baseball and cruise ship seasons. As such, the potential traffic impacts related to these events overlapping would be infrequent and therefore less than significant.

[17] Telephone conversation with Jerry Robbins, Department of Parking and Traffic, February 26, 2001.

[18] *Fourth Street Bridge Transportation Impact Report*, San Francisco Department of Parking and Traffic, August 2000.

Double Ship and Large Event Days

During the Cruise Season on the occasion when there would be two ships berthed at the project site (fifteen days a year), or in the Off-Season, when there would be a large event occupying 50,000 square feet of the cruise terminal (5 to 10 days a year), additional intersections would deteriorate to LOS E or F under the Existing Plus Project Conditions. When compared to the typical Existing Plus Project Conditions in the PM peak hour, the Harrison/Main intersection would deteriorate from LOS D to LOS F (Cruise Season and Off-Season), the Third/King intersection would deteriorate from LOS D to LOS F (Base Case, Cruise Season, and Off Season), and the Bryant/Main intersection would deteriorate from LOS D (Cruise Season) or LOS C (Off-Season) to LOS E. This would be an increase of three intersections operating at unacceptable levels.

In the Weekday AM peak hour, the Third/King intersection would deteriorate from LOS D to LOS E (Cruise Season), and the intersection of Harrison/Fremont would deteriorate from LOS E to LOS F (Cruise Season). This would result in an increase of two intersections operating at unacceptable levels. In the Weekend peak hour there would be no change in levels of service compared to the typical Cruise Season under the Existing Plus Project Conditions.

These impacts would not be considered significant as they would occur less than seven percent of the days in a year. Similarly, on the up to four days per year (about one percent of the days in a year) when two ships are berthed at the project site and a third ship calls at the Port, the effects would be considered less than significant. In such a scenario, the third ship would embark and disembark at Pier 35, where cruise operations are currently located.

Transit

The impacts of the proposed project on the regional and local transit systems were determined by measuring level of service at the regional and downtown screenlines. Analysis was conducted for the PM peak hour, which is the most critical period for transit demand.

Project Demand

The proposed project is estimated to generate approximately 1,330 PM peak hour public transit trips during the Base Case condition. The number of trips would increase to approximately 1,400 during the Cruise Season and 1,465 during the Off-Season. The use of the cruise terminal for special events during the Off-Season would tend to attract a more local clientele than would typical cruise terminal activities. These patrons would be more likely to use public transit to get to and from the site and would result in the "worst-case" condition for transit analysis purposes. It is this scenario (Off-Season PM peak hour) that is presented below. In the Off-Season PM peak hour, about 59 percent of the transit trips would have destinations within San Francisco, while the remaining 41 percent would have trip ends at locations outside San Francisco.

Regional Transit Impacts

The implementation of the proposed project would not have an overall significant impact on regional transit service during the PM peak hour. The capacity utilization[19] aggregated for all regional carriers would increase from the existing 72 percent to 73 percent. Individual transit carriers would experience capacity utilization increases of up to three percentage points. The greatest impact would occur on BART transbay service. The BART East Bay service currently has a capacity utilization of 120 percent, which is well below the current 135 percent service standard. With the implementation of the project, the capacity utilization on BART transbay service during the Off-Season is projected to increase to 122 percent, still well below the service standard. Because BART would continue to operate below the service standard, and given the nominal project contribution to the BART ridership and the temporary nature of the impact, the project would not result in a significant regional transit impact.

By 2020, the demand for regional transit service to the East Bay and South Bay during the PM peak hour is expected to increase considerably as a result of general growth in San Francisco and the Peninsula. The addition of new service by the transit carriers is expected to address much of the growth in demand. The projected growth in demand for BART service would increase the PM peak hour capacity utilization of East Bay service to 129 percent in the Off-Season. Part of this growth would result from the commencement of BART service to the San Francisco International Airport and Millbrae stations. The project would contribute about three percent of the cumulative growth to the BART East Bay ridership, which would not be considered a significant impact. The AC Transit buses and East Bay ferries would continue to operate at acceptable levels of service by the year 2020 with capacity utilization of less than 80 percent.

The BART South Bay ridership is expected to increase considerably as a result of the service extension to San Francisco International Airport and Millbrae stations. PM peak hour capacity utilization in the South Bay is expected to increase to 139 percent, which would exceed the 135 percent service standard. BART does not plan to increase capacity unless demand warrants an increase in service. The proposed project would contribute approximately one percent of the cumulative growth to the BART South Bay ridership. Caltrain service in the South Bay would operate at 69 percent of capacity. SamTrans buses are projected to operate at 85 percent of capacity in 2020. As service demands increase, SamTrans policy is to provide additional service to meet growing demand. Given the small project contribution to the cumulative growth, the project would not be expected to result in a significant impact on South Bay transit ridership.

In the North Bay, adequate capacity would be provided on the Golden Gate buses and ferries to accommodate increases in ridership. Golden Gate buses and ferries are expected to operate at 82 and 42 percent capacity, respectively.

[19] Capacity utilization is the aggregate number of passengers divided by the aggregate design capacity of the transit vehicles. For BART and MUNI, the design capacity includes varying numbers of standees, the number of standees depending on the specific transit vehicle configuration.

Local Transit Impacts

The impacts of the proposed project on the local (MUNI) transit system were determined by measuring level of service at the downtown screenlines (imaginary cordon lines drawn around the greater downtown area for purposes of analyzing MUNI ridership by corridor). With implementation of the project, under Existing Plus Project conditions, the Off-Season capacity utilization at each of the MUNI screenlines would increase by two to seven percent over existing conditions. The greatest percentage increases would occur in southeast San Francisco, where ridership increases would total seven percent across the screenline. Capacity utilization would be highest at 98 percent of capacity on southeast lines other than those along the Mission Street and Third Street corridors. Capacity utilization on the four MUNI screenlines would remain below the 96 percent MUNI service standard. Therefore, there would be no significant MUNI service impacts under Existing Plus Project conditions.

The transit ridership and capacity assessment for the Cumulative 2020 condition is based on year 2020 MUNI ridership projections and includes trips that would be generated by the proposed project.[20] Except at the southeast screenline, MUNI service to the downtown area would operate below the 96 percent MUNI service standard, ranging from 73 percent to 94 percent capacity. Along the southeast screenline, MUNI service would operate at 98 percent of capacity overall and 108 percent of capacity on southeast lines other than those along the Mission Street and Third Street corridors ("Other Lines"). The proposed project would contribute about 17 percent of the cumulative growth to the overall screenline and about 17 percent to the cumulative growth on the "Other Lines." The project's contribution to this screenline would be considered a significant impact under Cumulative conditions.

The Cruise Terminal project would be subject to the Transit Impact Development Fee (TIDF) of $5.00 per square foot of office use, which is imposed for all new development in the downtown area pursuant to Chapter 38 of the San Francisco Administrative Code. Participation in the TIDF program would provide monetary support for improvements to the transit service in the greater downtown area. The Planning Department is currently exploring the potential for an expansion of this fee to other non-residential uses throughout the city. If a new TIDF policy is adopted prior to project approval, the proposed project could be subject to the additional fees. Payment of the TIDF would potentially assist in the improvement of MUNI's provision of additional capacity on the southeast screenline, but would not lessen the project's significant impact to a less than significant level. However, with implementation of identified mitigation (see Chapter IV for Mitigation Measures C.5 and C.6) that would add transit capacity to the southeast screenline and require the project sponsor's coordination with the MUNI Special Events office, the project's contribution to this impact would be reduced to a less than significant level.

Parking

The proposed project is in the M-2 (Heavy Industrial) zoning district, in which off-street parking is required for all uses. Construction of the proposed project would displace 500 parking spaces on the

[20] Ridership projections to the year 2020 from Wilbur Smith Associates as provided by San Francisco MUNI Capital Planning Department, January 2001.

seawall lot and 300 spaces on Pier 30-32, for a total of 800 spaces. The proposed project includes 450 spaces on Pier 30-32 and 350 spaces on the seawall lot, for a total of 800 spaces.

Based on Planning Code Section 151 requirements, the project would be required to provide 2,021 spaces under Base Case conditions (which would occur about 155 days of the year), 2,081 during the Cruise Season when a ship is berthed at the pier, and 2,112 during the Off-Season when a special event is taking place at the cruise terminal. As such, the greatest shortfall in parking would occur during the Off-Season, when the project would provide 1,312 fewer spaces than are required by the Planning Code. In all cases, however, the parking supply on the seawall lot would meet the parking requirements, which is one space per residential unit.

Pier 30-32 is located in Waterfront Special Use District #1 and Seawall Lot 330 falls within Waterfront Special Use District #3. As authorized by Planning Code Section 240, Section 161(f) of the Planning Code permits the Planning Department or Planning Commission to reduce the off-street parking requirements in Waterfront Special Use Districts #1 and #3 with consideration of a number of criteria that address parking demand, nearby land uses, and freeway accessibility. The project would therefore require an approval of an off-street parking exemption under Section 161(f) for provision of less than Planning Code-required parking at the pier.

Project-generated parking demand would be greatest during the Cruise Season. During the Cruise Season, the standard parking demand would be 1,485 spaces for Pier 30-32 and 449 spaces for the seawall lot, for a total parking demand of 1,934 spaces. When adjusted for shared parking opportunities,[21] the parking demand would be reduced to a total of 1,593 parking spaces, 1,144 spaces on the pier and 449 spaces on the seawall lot.

When estimating the parking shortfall as a comparison of parking demand to supply, the worst-case condition would occur during the Cruise Season when a special event is taking place at the Cruise Terminal, with a total shortfall of 1,134 spaces. For the Off-Season condition, the total parking shortfall would be 950 parking spaces. Under Base Case conditions, the parking demand shortfall would be 868 spaces. Under all conditions, the parking shortfall on Seawall Lot 330 would be 99 spaces and the remaining shortfall would occur on Pier 30-32.

With the proposed mixed-use project, the opportunity for joint use of parking spaces would exist. Joint-use of parking spaces is possible when land uses composing a project have different peaking characteristics and parking spaces are freed up throughout the day as turnover occurs. If shared parking opportunities are taken into account, the parking shortfall could decrease to a total of 660 spaces during Base Case conditions, 793 spaces in the Cruise Season, and 729 spaces in the Off-Season. Under each of these scenarios, a parking shortfall would occur on both the seawall lot and Pier 30-32. The reduction in

[21] In keeping with the Waterfront Special Use District provisions for the reduction of parking requirements, parking reduction factors were applied to the standard calculated parking demand to account for shared parking options presented as part of the proposed mixed-use project. Shared parking calculations were based on *Shared Parking*, Urban Land Institute, 1983 and data specific to cruise terminals supplied by the project sponsor.

overall parking demand assumes that parking on the pier would be available and open for all project users and that spaces would not be reserved for specific tenants. The reduction also assumes that spaces on the seawall lot would be reserved for residential use and therefore were not considered in the calculation for shared parking.

The parking shortfall would be considered a social effect, but not a significant environmental impact. The magnitude of the expected shortfall would have impacts on the surrounding neighborhood by increasing the competition for very limited parking. The parking shortfall would be exacerbated on game days at Pac Bell Park. As there are a limited number of parking spaces available in the project vicinity to accommodate the increased demand and the commuters displaced from the existing parking facilities, there would likely be a shift to transit for trips to the site. The increased congestion projected in the vicinity of the project site would further encourage this shift to transit. This shift to transit would potentially result in reduced traffic delays in the project vicinity, but could result in increasing impacts to the transit system, which is already expected to experience significant cumulative impacts in the southeast corridor.

While the parking shortfall would not be considered significant, the project sponsor proposes to implement a Transportation Demand Management Program (see Mitigation Measure C.2) to reduce the use of vehicles and thus the demand for parking in the study area. By focusing on the reduction of demand for parking, such a program would also reduce the projected congestion associated with the implementation of the project. By reducing the parking demand, the potential impacts in the neighborhood associated with increased competition for a limited parking supply would potentially be minimized. In addition, the project would include improvement measures aimed at reducing the on-site demand for bus parking and at minimizing the potential for queuing on The Embarcadero by vehicles attempting to park in Pier 30-32 garage (see Chapter IV for Improvement Measures C.1, C.2, and C.3).

The Planning Code requires one designated handicapped parking space for each 25 off-street parking spaces provided and one bicycle parking space for each 20 off-street parking spaces provided. Based on the provision of 450 parking spaces on Piers 30-32, 18 handicapped spaces and 23 bicycle parking spaces would be required. Based on the provision of 350 parking spaces on Seawall Lot 330, 14 handicapped spaces and 18 bicycle spaces would be required on-site. In addition, the project sponsor would be required to provide four showers and eight clothes lockers.

The project would provide 19 handicapped spaces on Pier 30-32 and 14 handicapped spaces on the seawall lot. On Pier 30-32, the project would include a secured bicycle parking area on the northern edge of the Bryant Street driveway and adjacent to the public access area on the perimeter of the pier. At lease twenty-three bicycle parking spaces would be accommodated in this area. A shower facility with four showers and eight clothes lockers would also be provided. On the seawall lot, bicycle parking would be provided on the first floor of the residential building behind The Embarcadero south lobby. At least 18 bicycles could be stored in this area. As such, the proposed project would meet the Planning Code requirements for handicapped and bicycle parking, as well as for showers and lockers.

Truck Loading

Under Planning Code Section 152, the project would be required to provide eleven off-street (standard truck) freight loading spaces, nine on Pier 30-32 and two on the seawall lot. The loading demand generated by the mixed-use project would be 375 daily truck trips during the Cruise Season and 382 during the Off-Season. The peak hour truck trip generation of the proposed project would yield a demand for 18 spaces in the Base Case or 22 spaces in the Cruise or Off-Seasons. The average hourly demand would be 14 spaces under the Base Case, 17 spaces for the Cruise Season, and 18 spaces during the Off-Season.

The project proposes to provide nine truck loading spaces on Pier 30-32 and two loading spaces on the seawall lot to fully meet Planning Code loading requirements. On Pier 30-32, two loading bays would be located along the Bryant Street driveway to the east of the main garage access, an additional four loading bays would be located off the roundabout at the end of the Bryant Street driveway, and one loading bay would be provided at the north end of the cruise terminal. The remaining two loading spaces would be designated on the pier aprons to serve the cruise terminal; one space would be designated on the eastern apron and one space would be designated on the northern apron. On the seawall lot, two loading docks would be provided mid-block off of Bryant Street. Garbage containers would be provided adjacent to the loading docks.

All trucks and buses would enter Pier 30-32 via the main driveway at Bryant Street. There would be space on the pier apron to accommodate loading for the cruise ships when they are in berth. This area would have restricted access when ships are docked at the berths and would function as loading/unloading areas while the ship is being serviced. While one designated loading space would be provided at the northern berth and one designated space at the eastern berth, there would be adequate space to accommodate additional trucks as required to service the ships.

The remaining seven truck loading bays on Pier 30-32 are intended to serve the commercial and office uses. These would be located in three separate dock facilities: one immediately adjacent to the grocery store (2 bays), one at the end of the pier adjacent to the roundabout (four bays), and one dock at the Cruise Terminal (one bay). On-site maneuvering and backing would be required to access the loading bays. Temporary disruption of access to the handicapped parking, passenger drop-off zones, and bus parking would occur when trucks are backing into the loading spaces. The temporary disruption would last for one to two minutes. This could result in temporary traffic back-ups if truck maneuvering occurred during the embarkation or disembarkation of a cruise ship.

During the Off-Season, the nine bus loading spaces fronting the cruise terminal would be used for loading and unloading of goods to service the special events held at this venue. The bus loading spaces at the cruise terminal could also be used to supplement the loading docks provided in the remaining portion of the Pier 30-32 site.

On the seawall lot, the project would provide two loading docks directly accessible from Bryant Street. Truck maneuvering and backing into the loading bays would occur on Bryant Street. This would result in temporary disruption, lasting one to two minutes. During the morning peak hour, this temporary disruption would be expected to result in moderate disruption to traffic flows. During the afternoon peak hour, the potential impacts on traffic disruption would be greater as Bryant Street is used as a secondary access to the Bay Bridge and the Main/Bryant intersection would be expected to experience increased congestion as it is anticipated to serve project trips destined to the Bay Bridge via Main and Harrison Streets. With implementation of identified mitigation (see Chapter IV for Mitigation Measures C.7 and C.8), potential disruptions to traffic due to loading on the seawall lot would not result in any significant effects.

The proposed project would meet the Planning Code requirements for loading facilities. To meet the project demand, the pier aprons would be used for holding and staging of trucks while loading bays are in use. The project would provide adequate on-site loading bays to accommodate delivery of goods to the site. Timing of deliveries to avoid potential conflicts during the peak hours would ensure that the potential impacts related to freight and goods movement at the site are minimized.

Passenger Loading

While there is no Planning Code requirement for tour bus loading for the project, the project has been designed to accommodate all cruise ship passenger loading activities at Pier 30-32. These provisions were incorporated into the project design to avoid the problems associated with the current cruise terminal operation at Pier 35, where passenger loading and queuing occurs on The Embarcadero north of The Embarcadero/Bay Street intersection when a ship is in port.

The passenger loading zone would be located adjacent to the cruise terminal at the end of the pier between the two berths. A 500-foot long, three-lane driveway would extend from The Embarcadero to the end of the pier where it would transition to a passenger loading and unloading zone for the cruise terminal. When vessels are in port, cruise terminal staff would be positioned at The Embarcadero and Bryant, at the passenger loading zone, and at other key locations on Pier 30-32 to monitor and manage both the cruise terminal traffic and the pedestrian flows to minimize conflicts and ensure a safe and secure pedestrian environment.

Taxis, cars dropping off passengers, and buses would proceed to the passenger unloading at the end of the pier. Two inbound (southeast direction) lanes would provide access to both sides of a central island where 24 spaces (12 on each side) would be designated for passenger loading. A roundabout at the end of the passenger loading area driveway would allow vehicles to turn around and return to the pier exit. The inbound and outbound lanes to the northeast of the central island would provide access to the bus parking area. There would be eight designated bus loading bays adjacent to the cruise terminal, along the northeastern side of the passenger loading zone driveway. When required, the 12 passenger loading spaces across the driveway from the eight bus loading bays could be converted into six additional bus spaces.

During the embarkation of cruise vessels, the greatest demand would be for taxi and passenger car loading and unloading spaces. During that period, both sides of the central island would be available for passenger loading and unloading, for an estimated total of 24 spaces. The nine bus bays would be adequate to accommodate the bus loading demand during embarkation.

The greatest demand for bus passenger loading and unloading would occur during the disembarkation of cruise vessels. Private cars picking up passengers would be required to park in the short-term parking garage on the site, reducing the demand for passenger loading space for private autos, and freeing up additional space for buses in the passenger loading area. During the disembarkation of home berthed vessels, buses would be loading passengers for trips to the airport, while vessels that were not home berthed would be loading passengers for day tours in San Francisco and the Bay Area. During disembarkation, the loading area along the western curb of the outbound drive would most likely be reserved for buses. By providing on-site traffic control, the use of the passenger loading zones would be optimized. Some disembarking cruise passengers may choose to take the MUNI Metro to Market Street and transfer to a BART train destined for San Francisco International Airport (after 2005 when the BART extension is expected to be operating).

During the embarkation or disembarkation period, if the demand for bus parking exceeded the space available on-site, buses would be directed to the Giants parking area south of the Mission Creek Channel. Radio contact would be maintained between the remote parking and Pier 30-32 to deploy buses to Pier 30-32 as space became available on-site. If there were an event at the Ballpark, buses would be redirected to Pier 35.

With the combination of a large on-site passenger loading area, extensive truck loading zones on the pier apron, on-site traffic control during loading and unloading of vessels, and a remote lot for staging, the potential for queuing of traffic back onto The Embarcadero would be minimized. Further, the cruise terminal operations would be substantially improved over the current operations at Pier 35.

During the Off-Season, the passenger loading area would more than adequately serve the special events occurring at the Cruise Terminal without disruption of other traffic circulation on the site or along The Embarcadero. Cars and taxis loading and unloading passengers would use the eastern curb of the inbound driveway as they would during Cruise Season and the western curb of the outbound driveway would also be available for use. The bus bays would be used for buses and trucks serving the site. As such, the proposed project would not result in significant effects associated with passenger loading.

Bicycle and Pedestrian Conditions

The bicycle trips generated by the proposed project would be all or a portion of the "other" trips made by modes other than auto, transit, or walking. In the PM peak hour, about 390 trips would be generated by modes other than auto, transit, or walking under the Base Case and Cruise Season conditions. The number of "other" trips in the PM peak hour would increase to about 415 in the Off-Season. These trips would represent between seven and eight percent of the total trips generated by the project under all

scenarios. The bicycle trips generated by the proposed project during the Weekend peak hour during the Cruise Season would be approximately 420, representing about 7.5 percent of the total project trips.

Bicyclists would have a high level of accessibility to the site with Class II bike lanes designated along The Embarcadero. While both traffic and bicycle levels would be expected to increase with the implementation of the project, the proposed signal at The Embarcadero/Bryant intersection would minimize the potential conflicts between bicycle and auto or truck traffic. At Pier 30-32, the potential for bicycle and auto turning movement conflicts would be greatest at the unsignalized driveway south of Bryant Street that would serve as secondary access to the site. As with other unsignalized driveways along The Embarcadero, both cyclists and drivers would need to be alert to these potential conflicts. As such, the proposed project would not be expected to result in substantial conflicts between vehicles and bicycles and therefore would not result in a related significant impact.

In the PM peak hour, the proposed project would generate approximately 1,435 walk trips in the Base Case and during the Cruise Season and about 1,580 trips during the Off-Season. In addition, people using transit would approach the project site on foot. Pedestrian access to the site would be primarily along The Embarcadero. With implementation of The Embarcadero Roadway project, a 25-foot promenade was established along the water-side and a 10-foot sidewalk along the inland-side of The Embarcadero. With implementation of the project, the waterfront promenade at the project site would be widened and the existing frontage road would be converted into a broadened pedestrian and open space area between the promenade and the proposed commercial complex. This widened walkway along the water's edge, in combination with a standard sidewalk along the inland roadway, would provide more than enough capacity to meet the pedestrian demands during the peak demand periods.

With increased pedestrian movements at both the Bryant and Brannan Street crosswalks, it would be important to ensure safe pedestrian crossings of The Embarcadero. The signal system that has been installed on The Embarcadero has been timed for pedestrians to safely cross the broad roadway in one cycle. The Bryant Street driveway proposed as part of the project would result in a large increase in traffic crossing The Embarcadero promenade at Bryant Street. To ensure that the potential conflicts between pedestrians and signal controlled vehicle movements at this location would not result in hazardous conditions, a pedestrian warning system and a pedestrian countdown signal should be incorporated into the project design (see Mitigation Measures C.9 and C.10 in Chapter IV). With implementation of these mitigation measures, the project would not result in any significant effects related to pedestrian safety.

Access to the MUNI Metro stop just south of Brannan Street would also be important for pedestrians coming to and leaving the project. Pedestrians would walk along The Embarcadero, either on the land side or the water side, and cross into the median at the Brannan Street crosswalk or at the mid-block signalized crossing at the Brannan Street Station.

The internal pedestrian circulation system for Pier 30-32 has been designed to promote access to the water's edge and ease of access from The Embarcadero and the pier edge to the public spaces on the site.

Public access would be allowed along the entire perimeter of the pier except when a ship is in port. During the periods when ships are being serviced at the terminals, access would be restricted for security and safety reasons.

As such, the proposed project would not result in substantial conflicts between vehicles and pedestrians and therefore would not result in a related significant impact.

Construction Impacts

The construction period for the proposed residential project on the seawall lot would be expected to last approximately 19 months and would begin in April of 2002. The initiation of construction on Pier 30-32 would lag by approximately two months, starting in June of 2002 and lasting approximately 25 months.

The greatest number of construction workers expected on the project site would occur during the six month period when construction of the superstructure on Pier 30-32 would overlap with the finish work on the seawall lot. The maximum number of construction workers anticipated during this period would be 385, with the average number of construction workers on-site at 325.

The most concentrated truck activity would occur during the two month period when site clearance activity on Pier 30-32 would overlap with foundation work on the seawall lot. During this phase, a maximum number of 145 trucks would travel to the site each day. The average truck activity to the site would be 77 trips during this two-month phase. This activity could be reduced if construction materials, such as new pilings, were to be delivered to the site by barge.

Trucks would be expected to travel between the site and I-280 via The Embarcadero and King Street. Trucks traveling between the site and the Bay Bridge would use The Embarcadero and Harrison Street. Construction materials would be delivered to and staged at the site on an as-needed basis. Piles delivered early to the site would be stored on the existing pier deck. Adjacent to Pier 30-32, sidewalk protection would be provided for pedestrians along The Embarcadero during construction. Along the seawall lot, the sidewalks along Bryant and Beale Streets would be closed for the duration of construction. A protective sidewalk covering would be provided along The Embarcadero. No extended loss of parking lanes or relocation of transit stops would be anticipated. Temporary lane closures of limited duration would possibly be necessary for the delivery of goods to the project site.

Construction impacts would likely inconvenience employees, residents, and visitors to the area, but are typical in an urban setting and would be temporary in nature. For these reasons, construction period impacts would not be considered significant. Although construction-related impacts would be less than significant, see Chapter IV for Improvement Measures C.4, C.5, and C.6, which have been provided to minimize transportation disruption during the construction period.

BRANNAN STREET WHARF PROJECT IMPACT ANALYSIS

The proposed Brannan Street Wharf project would involve only some pier and wharf removal and the creation of open space. As an open space that would be situated in a dense urban context, the Brannan Street Wharf park would function as an accessory amenity to the surrounding residential, office, and entertainment/recreational uses (including Pac Bell Park) and would not be considered an independent generator of trips. Most persons destined for the Brannan Street Wharf would come from neighboring uses and would walk, bicycle, take transit, or use modes other than automobiles. As such, the trips associated with the Wharf project's open space were accounted for in the trip generation of other project uses and would not affect traffic patterns, intersection levels of service, or transit service levels.

The Brannan Street Wharf project would result in the loss of Pier 36 that is currently used in part for truck parking by Delancey Street Movers. The Delancey Street Movers would be forced to find an alternate location for parking its vehicles on another property in the general vicinity. While this would likely be an inconvenience to this tenant, it would not result in a substantial increase in the demand for parking in the area. Removal of Pier 36 would not be considered to reduce the off-street parking supply in the vicinity since it is not used for public parking. The Brannan Street Wharf project would have little or no effect on parking demand in the area, since most visitors to the project would come from the adjacent uses. Like the proposed project, any potential contribution to the existing shortfall of parking within the project vicinity or in greater San Francisco would not be considered a significant impact. As such, the Wharf project would have not a significant impact on traffic, circulation, or parking.

D. HYDROLOGY AND WATER QUALITY

SETTING

WATER FEATURES AND DRAINAGE

Situated just south of the Bay Bridge along the shoreline directly adjacent to San Francisco Bay, the Cruise Terminal project site is composed of two separate properties: Pier 30-32 to the east of The Embarcadero, and to the west of The Embarcadero, Seawall Lot 330. The proposed Wharf project would involve construction of the Brannan Street Wharf, a public open space along the waterfront south of Pier 30-32, after demolition of Pier 36. The project sites lie within the Northeast Drainage Basin of the City's drainage system. This area of the City receives average annual precipitation of about 21 inches.

Freshwater flow to the Bay from San Francisco has almost entirely been diverted to the City's combined sewer and stormwater system. Nearly all of the City drains to the combined sewer system, although some piers and adjacent areas along the waterfront drain directly to the Bay. Therefore, Seawall Lot 330 currently drains to the City's combined sewer system, while Pier 30-32, Pier 36 and the marginal wharf drain by sheetflow to the Bay. During wet weather, the portion of the Bay adjacent to the project area[22] receives surface inflow from stormwater runoff from the piers and waterfront sites as well as from combined sewer overflow structures, as discussed below.

COMBINED SEWER OVERFLOWS

The City is almost entirely served by a combined sewage system that collects and transports both sanitary sewage and stormwater runoff in the same set of pipes. Most natural drainage and stream flow in the City is also diverted to the combined sewer system. During dry weather, wastewater flows consist mainly of municipal and industrial wastewater, whereas during wet weather, the volume of wastewater flows greatly increases due to the addition of rainfall and stormwater runoff. The City's system collects and treats the combined stormwater and wastewater flow prior to discharge through various outfalls and overflow structures along the City's perimeter.

On the east side of the City, the combined sewer flows are transported to the Southeast Water Pollution Control Plant, on Phelps Street, for treatment, and then discharged to the Bay. During dry weather, all wastewater flows are treated to a secondary level[23] at the Southeast Plant and discharged to the Bay through the deep water outfall at Pier 80. During rainfall events, the additional stormwater runoff can exceed the full treatment capacity of the system, and the excess combined sewage and stormwater

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[22] For purposes of discussion in this section, "project area" refers to the general vicinity of both the Cruise Terminal and Wharf project sites, including the two sites themselves.

[23] Secondary treatment involves removal from wastewater or sewage of organic matter using biological and chemical processes. This is a higher level of treatment than primary treatment, which is removal of floating and settleable solids using physical operations such as screening and sedimentation. Secondary treatment is less intensive than tertiary treatment, which involves additional chemical and biological treatment to remove pathogens, generally done for recycled (non-potable) water uses.

undergoes partial treatment and is discharged through overflow control structures located along the waterfront. There are a total of 28 overflow points in the Bayside system along the waterfront, where partially treated combined sewage and stormwater is discharged to the Bay through combined sewer overflow (CSO) structures when the dry weather capacity is exceeded. The closest CSO structure to the project area is at Brannan Street (Outfall #19), just south of Pier 30-32. Combined sewer overflows occur on average about ten times per year at this location. All discharges from the combined sewer system to the Bay, including those from the Southeast Plant and the CSO structures, are operated in compliance with permits from the California Regional Water Quality Control Board (RWQCB). As part of the permit requirements, the City conducts annual inspections of the CSO structures to assure that the partial treatment system is operating, and the most recent inspection of the Brannan Street CSO structure in August 2000 showed the structure to be in good condition (Franza, 2001).

The San Francisco Public Utilities Commission has started a strategic planning process to update the City's wastewater management program, including examining opportunities to implement alternative treatment technologies where feasible (San Francisco Public Utilities Commission, 1999). Stormwater management in areas where the collection system is separate, such as the Pier 30-32 and the Brannan Street Wharf project site, may be candidates for alternative technologies. Development of these alternative technologies are still being considered on a conceptual level, and it is not known if they would be applicable to the proposed projects. Therefore, this analysis does not assume implementation of these alternative technologies.

BENEFICIAL USES

The *Water Quality Control Plan for the San Francisco Bay Basin* (Basin Plan) identifies the following existing beneficial uses for the San Francisco Bay, Central and Lower portions (the Bay Bridge is the approximate dividing line between the two portions): ocean, commercial and sport fishing; estuarine habitat; industrial service supply; fish migration; navigation; preservation of rare and endangered species; water contact recreation; non-contact water recreation; shellfish harvesting; and wildlife habitat. Central San Francisco Bay also is identified as having industrial process supply and fish spawning as existing beneficial uses. No "potential" beneficial uses are identified for these waters (California Regional Water Quality Control Board, 1995).

WATER AND SEDIMENT QUALITY CONDITIONS

As described in the Waterfront Plan EIR, ambient water quality data for the Bay specific to the project area are sparse. Water quality conditions in the general vicinity of the Bay near the project area are best characterized by data collected for Central San Francisco Bay as part of the Regional Monitoring Program (RMP) for the San Francisco Estuary by the San Francisco Estuary Institute (San Francisco Estuary Institute, 1997 and 1999). Data from this ongoing study, started in 1993, have indicated that, in general, the Central Bay has the highest water quality in the estuary, probably due to the regular tidal flushing in this area. At the Yerba Buena Island sampling station, the closest RMP sampling station to

the project area, the most recent monitoring data available for 1999 indicate that water quality conditions remain well within water quality objectives established by the RWQCB for conventional water quality parameters and all trace elements.[24] The 1999 data generally show lower levels for nearly all trace elements than the 1993 levels that were presented in the Waterfront Plan EIR.

During rainstorms, the City monitors the quality of the discharges from the CSO structures as part of the National Pollutant Discharge Elimination System (NPDES) permit requirements for the Bayside wet weather facilities. The overflows are monitored for a range of parameters, including suspended solids, grease and oil, organic compounds, and metals. The data indicate that the CSO water quality varies widely between storm events and sporadically exceed some of the numerical water quality objectives listed in the Basin Plan. However, the NPDES permit does not specify numerical water quality requirements for CSO discharges, and in general, the overflows are in compliance with all permit requirements (Lee, 2001).

Sediments in the vicinity of Piers 30-32 and 36 consist of Younger Bay Mud, characterized as mostly soft, fine-textured, dark-colored sediments with a high silt and clay content (EVS Consultants, 2000). The sediments at Pier 30-32 have been dredged periodically since the 1970s, with the most recent maintenance dredging taking place in the mid-1980s. Areas along the northern berth of Pier 30 would be the only location where dredging of sediments would be required to accommodate the proposed project. Recent bathymetric surveys indicate bottom depths ranging from –12 to –18 feet Mean Lower Low Water (MLLW) along most of the northern berth area.

The most recent sediment quality data were obtained by the Port of San Francisco during tests conducted in 1998 of sediments along the northern berth of Pier 30-32 (ABT, 1998). The tests included sampling at 12 locations within the likely dredge limits along the northern berth. Four composite samples were created, comprised of three point samples each. Each composite was subjected to chemical analysis and one bioassay test to determine toxicity potential. Results indicated that metal concentrations in the Pier 30-32 sediments were comparable to those in reference sediments, which are indicative of "background" conditions. Organic compounds, including polycyclic aromatic hydrocarbons (PAHs), were elevated in the Pier 30-32 sediments compared to reference sediments. Solid-phase bioassay tests conducted on each composite sample indicated no toxicity.

REGULATORY FRAMEWORK

Water Quality Regulation

The federal Clean Water Act of 1972 and subsequent amendments, under the enforcement authority of the U.S. Environmental Protection Agency (USEPA), established the NPDES program to protect water quality of receiving waters. Under the Clean Water Act, discharge of pollutants to receiving waters is prohibited unless the discharge is in compliance with an NPDES permit. However, as discussed below

[24] Trace elements include silver, arsenic, cadmium, chromium, copper, mercury, nickel, lead, selenium, and zinc.

under "Cruise Ship Discharges," the USEPA specifically excludes normal vessel discharges from NPDES permit requirements. Discharge of municipal and industrial wastewater as well as stormwater runoff is regulated under NPDES permit requirements. The regulations initially focused on municipal and industrial wastewater discharges in 1972, followed by stormwater discharge regulations, which became effective in November 1990. The NPDES permit specifies discharge prohibitions, effluent limitations and other provisions (such as monitoring programs) deemed necessary to protect water quality. In California, the U.S. EPA has delegated the implementation and enforcement of the NPDES program to the State Water Resources Control Board and the California Regional Water Quality Control Boards.

The Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code) regulates water quality within California and established the authority of the State Water Resources Control Board and the nine Regional Water Quality Control Boards. The San Francisco Bay waters are under the jurisdiction of the San Francisco Bay Region RWQCB. The RWQCB established regulatory standards and objectives for water quality in the Bay in the *Water Quality Control Plan for the San Francisco Bay Basin*, commonly referred to as the "Basin Plan" (California Regional Water Quality Control Board, 1995). The Basin Plan identifies existing and potential beneficial uses (described above) and provides numerical and narrative water quality objectives designed to protect those uses. The RWQCB considers the beneficial uses of receiving water in establishing NPDES permit requirements in the San Francisco Bay region.

The RWQCB has listed all segments of San Francisco Bay as an impaired water body, as required under Section 303 (d) of the Clean Water Act. Impaired waters are defined as those that do not meet water quality standards, even after point sources of pollution have implemented pollution control technology. The law requires the development of action plans, known as Total Maximum Daily Loads (TMDL), to improve water quality. The pollutants that have been identified as causing impairment in San Francisco Bay in the project vicinity include mercury, exotic species, polychlorinated biphenyls, copper, nickel, and pesticides. To date, only the TMDL report on mercury has been completed, with the next four reports scheduled for completion in 2002 and the pesticides reports in 2004 and later. The TMDL reports and associated implementation plans include considerations for future amendments to the Basin Plan to adopt the TMDL and all its related parts.

City NPDES Permits

The City currently holds an NPDES permit from the RWQCB that covers all of the Bayside wet weather facilities, including discharges from the CSOs to the Bay. The permit prohibits overflows from the CSO structures during dry weather and specifies that during wet weather, the long-term average number of discharges from the CSO structures in the project area (Central Bay) shall be ten overflows per year. The permit also requires regular operations and maintenance programs for the CSO structures; measures to control solid and floatable materials discharged from the CSOs; public notification of overflows on

public beaches; and regular water quality monitoring of CSOs (California Regional Water Quality Control Board, 1995a).

The City and County of San Francisco is currently exempt from the federal stormwater regulations under the NPDES program because it has a combined sewer system. Discharge of nearly all stormwater runoff from the City is covered under its existing NPDES permits, and the City is not required to have a separate municipal stormwater discharge permit. Stormwater runoff from areas such as Piers 30-32 and 36 that drain directly to the Bay are not subject to the City's existing NPDES permits. However, in order to meet future requirements by April of 2003, the City intends to apply for a general stormwater permit in 2002 that would require the City to develop and implement a stormwater control program in those isolated areas that have separate stormwater drainage to the Bay, such as the piers in the project area (Rourke, 2001).

Industrial Stormwater NPDES Permit

The federal Clean Water Act includes regulations requiring that stormwater associated with industrial activity that discharges either directly to surface waters or indirectly through municipal separate storm sewers must be regulated by an NPDES permit (State Water Resources Control Board, 1997). The proposed project may be subject to these requirements under the category of transportation facilities, since the project involves the "deep sea transportation of passengers." However, transportation facilities generally apply to facilities that have vehicle maintenance shops or equipment cleaning operations. Office, commercial, restaurant, retail and public access uses are not subject to the requirements of the Industrial Stormwater NPDES Permit. Stormwater runoff from Piers 30-32 and 36 is currently not regulated under a stormwater permit (Bach, 2001).

The Port of San Francisco's maintenance facility and the Port's industrial tenants comply with the NPDES industrial stormwater requirement through the Industrial Activities Stormwater General Permit adopted by the State Water Resources Control Board in 1997. Each industrial user is individually required to comply with all stormwater permitting requirements, including preparation of a Stormwater Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMPs) to control pollution in stormwater discharges. To assist its industrial tenants in meeting the permit requirements, the Port has established a Group Stormwater Monitoring Plan and has assumed responsibility for conducting stormwater sampling and analysis and annual reporting of the results (Port of San Francisco, 2000).

The Port has developed a draft stormwater management program to address the requirements of the Regional Water Quality Control Board (Port of San Francisco, 2001). The program includes a comprehensive survey of all facility types and operations subject to stormwater discharge regulations within the Port's jurisdiction as well as recommended stormwater management measures. The proposed project would be included in this program. In addition, the Port is developing a stormwater management program specific to the southern waterfront area (Piers 68 through 96), since this area offers an opportunity to implement area-wide, rather than facility-specific, management measures.

Construction Stormwater NPDES Permit

The federal Clean Water Act effectively prohibits discharges of stormwater from construction projects unless the discharge is in compliance with an NPDES permit. The State Water Resources Control Board has adopted a statewide General Permit for Stormwater Discharges Associated with Construction Activity that encompasses five or more acres of soil disturbance; the current 1999 General Permit updates the previous 1992 General Permit (State Water Resources Control Board, 1999). Under the Storm Water Phase II Final Rule adopted by the USEPA in 1999, construction activities disturbing areas equal to or greater than one acre and less than five acres of land is also subject to NPDES permitting requirements. However, permit applications from operators of construction activities disturbing less than five acres will not be due until 2002 or early 2003. Under the Phase II Final Rule, the operators of construction activities can obtain a waiver from permitting requirements if there is low predicted rainfall potential.

In general, the NPDES stormwater permitting requirements for construction activities require that the landowner and/or contractor develop and implement a SWPPP and submit required notices. The SWPPP must specify BMPs that will prevent construction pollutants from contacting stormwater, with the intent of keeping products of erosion from moving off site into receiving waters. The SWPPP must include measures for erosion and sediment controls, methods for construction waste handling and disposal, and post-construction erosion and sediment control requirements. The SWPPP also addresses elimination or reduction of non-stormwater discharges to receiving waters and inspection of all BMPs.

Since development of the seawall lot component of the Cruise Terminal project site would involve disturbance of about three acres of soil, it would be subject to the Phase II regulations. Actual implementation of permitting requirements for the seawall lot would depend on the timing of the construction schedule compared to the implementation date to be established by the RWQCB in 2002 or early 2003. Project development on Pier 30-32 would involve only minimal soil disturbance associated only with excavation at The Embarcadero frontage for utility connections and therefore would not be subject to these regulations. The Brannan Street Wharf project would be subject to the Phase II regulations since construction is planned for between 2009 and 2019, well after the projected implementation date of the regulations.

BALLAST WATER MANAGEMENT PROGRAM

Effective January 1, 2000, the Ballast Water Management for Control of Nonindigenous Species Act established a statewide program (AB 703) to prevent or reduce the introduction and spread of nonindigenous aquatic species into the state waters. The program is under the direction of the California State Lands Commission in consultation with other state and federal agencies. The program requires that all vessels carrying ballast water must either conduct a mid-ocean exchange of ballast water or retain all ballast water on board the vessel. The exchange or replacement of all water in tanks must occur with ocean waters located more than 200 nautical miles from land and at least 6,560 feet deep. Vessels must comply with "good housekeeping" practices, including the following: avoiding uptake or discharge in or

near marine sanctuaries or reserves; minimizing or avoiding uptake in areas of known infestations or pathogens; minimizing or avoiding uptake near sewage outfalls or near dredging operations; cleaning ballast tanks regularly to remove sediment; proper disposal of sediments; minimizing discharge amounts; and removing fouling organisms from hulls, pipes, etc. Vessel owners or operators must submit ballast water report forms to the California State Lands Commission and must maintain a Ballast Water Management Plan specific to each vessel (California State Lands Commission, 2001). It should be noted that cruise ships do not typically discharge ballast water due to the relatively light load that passengers and stores represent as a proportion of the total load on these vessels.

CRUISE SHIP DISCHARGES

The USEPA is currently preparing an assessment of cruise ship discharges in response to a petition received from the Bluewater Network (USEPA, 2000). The petition requests the USEPA to take regulatory action on measures to address pollution by cruise ships. In response to the petition, the USEPA agreed to study cruise ship discharge and waste management approaches, and the assessment report will be made available for public comment. As background material for the assessment report, the USEPA prepared the *Cruise Ship White Paper* (White Paper) in August, 2000, which presented an overview of the current regulation of cruise ship waste streams.

According to the White Paper, the federal Clean Water Act, Section 312, includes regulation of cruise ship waste streams and applies to vessels within the three-mile limit of U.S. territorial waters. It is implemented jointly by the U.S. Coast Guard and the USEPA. These regulations establish effluent standards for marine sanitation devices, on-board sewage treatment equipment, and procedures for establishing "no discharge" zones for vessel sewage. Sections 301 and 402 of the Clean Water Act establish permit requirements for discharge of pollutants from point sources such as vessels, although USEPA regulations specify that the following discharges do not require NPDES permits: "any discharge of sewage from vessels, effluent from properly functioning marine engines, laundry, shower, and galley sink wastes, or any other discharge incidental to the normal operation of a vessel." The petition from the Bluewater Network requests that the USEPA evaluate the effects of this exemption from NPDES permits.

U.S. Code, Title 33, Chapter 33, addresses prevention of pollution from ships and implements certain provisions of the International Convention for the Prevention of Pollution from Ships (MARPOL). The MARPOL convention is the international treaty regulating disposal of wastes generated by normal operation of vessels, with 88 participating countries. In the U.S., this treaty is implemented by the Act to Prevent Pollution from Ships, under the lead of the U.S. Coast Guard. It applies to all U.S. flagged ships anywhere in the world and to all foreign flagged vessels operating in the navigable waters of the U.S. or while at a U.S. port. The Act addresses discharges of oil, noxious liquids, harmful substances and garbage (including plastics). The MARPOL convention has draft regulations addressing discharge of sewage from ships, but these are not entered into force and have not been ratified by the U.S. The Safety of Life at Sea Convention is an international convention dealing with maritime safety, with many

provisions applicable to passenger ships, and includes an environmental protection component to prevent marine pollution.

The U.S. Coast Guard has primary oversight responsibility for implementing domestic laws and international conventions applicable to vessels such as cruise ships. The Coast Guard conducts quarterly inspection of all cruise ships operating in U.S. waters.

California is developing legislation, AB 2746, which would require cruise ships operating in California waters to monitor and record specific details about the quantities and qualities of all waste materials released into the environment and offloaded at California ports. It would also require cruise ships to submit quarterly reports to the State Water Resources Control Board.

DREDGING

The U.S. Army Corps of Engineers (Corps) has jurisdiction over fill, dredging and disposal of dredge materials under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. The Port of San Francisco is required to obtain a permit from the Corps to conduct any of these activities along the waterfront in the project area. The RWQCB must grant Water Quality Certification for dredging and disposal activities in the Bay based on assessments of the potential for dredging and dredged material disposal to result in violation of water quality objectives. The RWQCB and USEPA are responsible for determining appropriate dredged material testing and discharge standards, and for assuring that dredging and the disposal of dredged materials are consistent with the maintenance of Bay water quality. The USEPA and the Corps have joint federal responsibility for regulating ocean, Bay and wetland disposal of dredged material. In addition, the Port is required to obtain a permit from the San Francisco Bay Conservation and Development Commission (BCDC) for any activities involving extraction of material, fill or substantial change in the use of water, land or structures in the Bay and within 100 feet inland of the Bay shoreline, including all dredging activities. Currently, dredging permits from all three agencies are handled jointly through the Dredge Material Management Office (DMMO), which also includes the State Lands Commission, USEPA, California Department of Fish and Game, National Marine Fisheries Service, and U.S. Fish and Wildlife Service as member agencies.

Due to the natural sedimentation rates in the Bay, regular maintenance dredging is necessary to maintain safe navigation channels and harbors for port facilities and flood control channels. The Port of San Francisco is currently authorized to conduct maintenance dredging within its jurisdiction and holds the necessary permits described above. The current Corps permit was issued in 1997, with modifications in 1998, 1999, and 2000 and authorizes maintenance dredging within the Port's jurisdiction, including Pier 30-32, through November 30, 2002 (see Appendix E for a copy of the Corps permit). The Corps permit authorizes dredging of a total of almost 1.5 million cubic yards of material within the Port of San Francisco over the five-year permit, of which about one million cubic yards of material has been dredged between since 1997. In recent years, approximately 93 percent of the dredge material was disposed of in the Bay near Alcatraz Island, while the remaining 7 percent required upland disposal. Consistent with the

Corps permit, BCDC issued Permit No. 2-97, as amended, which also authorizes the Port to conduct regular maintenance dredging. The BCDC permit authorizes dredging to a depth of –35 feet MLLW within a specified 150-foot wide band adjacent to the north side of Pier 30-32. The BCDC permit conditions are consistent with the Corps permit, as described below.

The permit specifies conditions to which dredging is subject, including authorized dredging depths and location of dredge material disposal. Dredged material is permitted in the Bay at a specified site near Alcatraz, in the ocean at a specified deep ocean dredge disposal site, or at specified upland locations. Prior to any dredging event, the Port's master permit requires sampling of sediments to be dredged and testing for agency approval of aquatic disposal. For each dredging episode, the Port is required to obtain a letter of water quality certification from the RWQCB and authorization from the BCDC. In addition to notifying the Corps, RWQCB, and BCDC, the Port must also submit results of the sediment testing to the USEPA, U.S. Fish and Wildlife Service, National Marine Fisheries Service and the California Department of Fish and Game through the DMMO review process. The permit also specifies that dredging activities will occur outside of the sensitive Pacific herring spawning season, December 1 through March 1, or as determined by California Department of Fish and Game (Department of the Army, 1997 and BCDC, 1997).

The Port completed a Master Sampling and Analysis Plan for its maintenance dredging program as encompassed under the current Corps and BCDC permits (Harding Lawson Associates, 2000). It should be noted that maintenance dredging, where the dredged material is to be deposited in an area authorized by all applicable state and federal regulatory agencies, is considered to be categorically exempt from environmental review under CEQA (see Appendix E for a copy of the categorical exemption certificate issued for the Port's existing maintenance dredging permit).

The Port is currently in the process of preparing an application for re-authorization of its maintenance dredging permit with the Corps and BCDC, since the current permit is scheduled to expire in November, 2002. The Port anticipates submitting the application in early 2002 and that the new permit would be similar to the existing permit and applicable for five years, with updates to conform with recent changes in regulations.

IMPACTS

SIGNIFICANCE CRITERIA

The City generally considers that implementation of the proposed project would have a significant effect on hydrology and water quality if it were to:

- substantially change absorption rates, drainage patterns, or the rate and amount of surface water runoff;
- substantially degrade water quality;

- contaminate a public water supply;
- substantially degrade or deplete groundwater resources or interfere with groundwater recharge; or
- cause substantial flooding, erosion, or siltation.

Criteria for evaluating surface and groundwater quality in the San Francisco Bay Area are based on beneficial uses and water quality objectives established by the San Francisco Bay Region RWQCB as authorized under the Porter-Cologne Water Quality Control Act, and Clean Water Act. Both beneficial uses and water quality objectives are described within the Basin Plan. Criteria for evaluating flooding hazards are based on effects to on-site and downstream 100-year flood zones as established by the Federal Emergency Management Agency.

IMPACT ANALYSIS

Water supply, groundwater and flooding hazards are not discussed in this section because the proposed projects would have no significant impacts in any of these topic areas. The project sites are not located within the vicinity or watershed of a public drinking water supply, and neither construction or operation activities could affect any public water supply. The proposed development at Seawall Lot 330 would be at grade and would require minimal excavation only for connection to utilities and pile driving. Development on Pier 30-32 and for the Brannan Street Wharf would involve no soil disturbance except for a minimal amount at The Embarcadero frontage to connect utilities. Therefore, it is unlikely that groundwater would be encountered, and no impacts to groundwater resources or recharge are anticipated. The drainage on the seawall lot is regulated by the City's combined sewer system, and Piers 30-32 and 36 drain directly to the Bay; no component of either project's site is subject to flooding and no flooding impacts are anticipated.

Operational Effects

Changes in Stormwater Runoff

The proposed projects would result in minimal changes in drainage patterns. The seawall lot is currently 100 percent paved and the proposed residential development would be about 80 percent impervious surfaces, in the form of multi-level structures instead of a paved parking lot, and about 20 percent landscaped areas. Therefore, there would be a slight reduction in the volume of stormwater runoff at the seawall lot due to the retention of some of the rainfall within the landscaped areas. The seawall lot currently drains to the City's combined sewer system, and drainage of the proposed residential development from roofs, terraces, other paved surfaces, and landscaped areas would continue to be directed to the City's combined sewer system through a developed on-site drainage system.

At Piers 30-32 and 36, there would be no impacts associated with change in the volume of stormwater runoff draining directly to the Bay. All three piers are paved and 100 percent impervious surfaces, and stormwater runoff drains by sheetflow directly to the Bay. With development of Pier 30-32, most of the site would continue to be impervious surfaces, again in the form of multi-level structures instead of a

paved parking lot, with some minor landscaped areas. The proposed development would include on-site drainage improvements that would direct stormwater drainage from roofs, terraces and other paved surfaces to the Bay rather than the current pattern of undirected sheetflow to the Bay. As part of the Wharf project, removal of Pier 36 would alter the drainage pattern from runoff from 100 percent impervious surfaces draining directly to the Bay to rain falling directly into the Bay. The Wharf project would result in a decrease of about 91,845 square feet of impervious surfaces due to removal of Pier 36, while the development of a 57,000 square-foot park would require about 32,000 square feet of new fill; the net decrease in surface area draining to the Bay would be about 60,000 square feet. It is assumed that the new park area would drain by sheetflow to the Bay. Overall, there would be a slight net decrease in stormwater runoff draining directly to the Bay from the Cruise Terminal and Wharf projects, offset by a slight increase in direct rainfall to the Bay.

While the changes in volume of stormwater runoff in the pier areas would be negligible, the minor changes in the nature of that runoff would result in an improvement in water quality conditions associated with the runoff. Under the existing conditions, the seawall lot, Pier 30-32 and Pier 36 serve as parking lots, and the stormwater runoff from each is typically exposed to oil and grease, gasoline and other fluid leaks from vehicles, brake pad wear, tire abrasion and pavement wear. Under the Wharf project, runoff from Pier 36 would be eliminated altogether. As a result of the Cruise Terminal project, runoff would be primarily from roofs, terraces and public areas. All public parking areas and tour bus or taxi parking areas on Pier 30 would be covered, minimizing exposure of stormwater runoff to parking lot pollutants.. In addition, the on-site drainage improvements on Pier 30-32 would include some level of treatment, such as screening, oil/water separator or grease or sediment traps. Thus, the quality of stormwater runoff draining from Pier 30-32 to the Bay would be improved over existing conditions, and stormwater runoff from Pier 36 would be eliminated and replaced by direct rainfall and sheetflow from the proposed public open space.

To further minimize the potential for stormwater runoff related water quality degradation due to the Cruise Terminal project, Improvement Measure D.1 (see Chapter IV) has been included that would require implementation of Best Management Practices (BMPs) in keeping with the City's Storm Water Pollution Prevention Program. BMPs would include containing and covering all solid and liquid wastes and inspecting and cleaning storm drain inlets to keep pollutants and litter out of the discharge to the Bay. With implementation of the proposed on-site stormwater system as part of the Cruise Terminal project, the quality of stormwater runoff originating from the project area from the commercial, retail, and public open space uses and discharging to the Bay would likely be improved over existing conditions and would result in a less than significant impact.

The proposed Cruise Terminal project would be comprised predominantly of residential, commercial, retail and public open space uses, and the Brannan Street Wharf project would be comprised entirely of open space uses. These uses are not subject to the NPDES requirements to prepare and implement an Industrial SWPPP. However, due to the transportation designation of the actual cruise terminal, a limited portion of the Cruise Terminal project site (about 35,000 square feet in the northeast corner of

Pier 30-32) could be subject to the requirements of an Industrial SWPPP since it involves the "deep sea transportation of passengers." The Cruise Terminal project would include only minor ship maintenance at the project site. The cruise-ship-related activities that would likely be subject to a SWPPP include:

- Waste oil collected from the cruise ships docked in San Francisco. This involves the transfer of waste oil from the ship to a truck on the pier via hose (for approximately 25 percent of ships).

- Lubrication oil transferred onto the ship from a truck on the pier via hose (for approximately 50 percent of ships).

- Routine removal of trash and garbage from cruise ships when docked in San Francisco. This typically consists of transferring the garbage from the hold of the ship to covered garbage containers on the pier. The containers are usually 25 cubic yards in size. The ship's agent contracts with a sanitary waste company to provide the service, which is supervised by the U.S. Department of Agriculture.

For those areas where cruise ship maintenance or equipment cleaning would be conducted, an Industrial SWPPP would be required. The Cruise Terminal project sponsor would be required to file a Notice of Intent and to obtain coverage under the statewide Industrial Activities Stormwater General Permit. In addition, the facility would be eligible to participate in the Port's Group Stormwater Monitoring Program. Compliance with the NPDES Industrial Stormwater General Permit requirements and implementation of a SWPPP would be included as part of the lease conditions with the Port of San Francisco. Compliance with the NPDES stormwater permit conditions, SWPPP and stormwater controls, as described in Improvement Measure D.1, would minimize the potential for any adverse water quality effects from stormwater runoff in these portions of the project site.

As described above, the proposed projects would result in negligible changes in the drainage patterns and in the rate and amount of surface runoff to the Bay. Stormwater quality would be improved over existing conditions, assuming compliance with all applicable stormwater permitting requirements. Therefore, long-term operational impacts associated with stormwater runoff would be less than significant.

Impacts on Combined Sewer Overflows

The proposed Cruise Terminal project would result in an increase in flows discharged to the City's combined sewer system, which would indirectly result in increased discharges to the Bay. In particular, during wet weather, the project would result in an incremental increase in the volume of combined sewer overflows (CSOs) to the Bay and could affect water quality. The volume of increased flow from the proposed project was estimated, and together with hydrological and operational system parameters, project data were analyzed with the aid of the Bayside Planning computer model to determine the project's effects on the CSOs on the City's Bayside system (Hydroconsult Engineers, 2001). As explained below, the Wharf project would have no effect on the CSOs.

At the seawall lot, in addition to stormwater runoff, the proposed development would generate sanitary sewage flow that would be discharged to the City's sewer system. This volume was estimated based on

the assumption that there would be 350 units with an average of 3 persons per unit who would each generate an average of 100 gallons of wastewater per day. At Pier 30-32, the volume of wastewater was estimated based on the square footage of proposed uses, assuming 370,000 and 220,000 gross square feet of commercial/office and retail uses, respectively, and 20,000 to 50,000 square feet of the terminal available to the public for civic and special events. For estimating purposes, there would be about 100 persons per acre, with office uses generating an average of 13 gallons per capita per day and retail uses generating 10 gallons per capita per day. Special events are assumed to generate about 400 persons per acre at 3 gallons per capita per day. Using these assumptions, it was estimated that the proposed project in total would generate an estimated sanitary sewage flow of 0.1216 to 0.1225 million gallons per day (mgd) to be added to the City's Bayside wastewater collection, treatment and disposal system on a year-round basis.

The increased sanitary flows could be collected, transported and fully treated at the Southeast Water Pollution Control Plant well within the existing capacity of 140 mgd (current dry weather flows are about 68 mgd), and no impacts to Bay water quality would be expected during dry weather. During wet weather when the full treatment capacity of the system is exceeded, the increased sanitary flows due to the proposed Cruise Terminal project would result in an increase of CSO volume. The analysis using the Bayside Planning computer model indicates that the proposed project would result in an increase of approximately 0.7 million gallons per year of CSOs over the base case scenario.[25] The base case volume of CSO is 905.0 million gallons per year, and the CSO volume with the project would be about 905.7 million gallons per year. This increase in CSO volume is about 0.08 percent of the existing conditions, or less than one in one thousand. It was also determined that the project's effect on the increase in CSO frequency in the Bayside system is negligible, with CSOs in this area continuing to occur on the average of about 9.7 times per year.

It should be noted that while the increase in CSO volume and frequency would be negligible compared to existing conditions, any CSO events from the existing Brannan Street CSO structure may be more noticeable if either the proposed Cruise Terminal or Wharf project is implemented. Both projects are intended to create a public attraction and viewing point at the same location as the existing CSO structure at the end of Brannan Street. During and following rainstorms, discharges from the Brannan Street outfall, though submerged, may be visible from the proposed Brannan Street Wharf, as well as the south side of the cruise terminal and the Bay. However, the CSO discharges would be partially treated and would meet the requirements of the NPDES permit, so that water quality impacts to the Bay would be minimized.

[25] The base case scenario for determining volumes of combined sewer overflows in the Bayside system is defined as existing conditions, which includes the recently added 37.8-acre Giants parking area with a separate sanitary and storm drain system with first flush to the Bayside system. The base case does not include any flows associated with the planned Mission Bay development, since that development includes provisions for a separate stormwater drainage system to the Bay that would offset any increases in sanitary flows to the treatment system. It also does not include any proposed future developments, such as at Hunters Point or Candlestick Park.

The minuscule increase in CSO volume due to the Cruise Terminal project would have a negligible effect on Bay water quality. Since the increase would not affect the CSO frequency, the Cruise Terminal project would not result in exceedances of the NPDES permit requirements. Therefore, the projects' impact on CSOs would not substantially degrade water quality, and this impact would be less than significant.

Shipping-Related Impacts on Water Quality (*Cruise Terminal project only*)

The proposed project would introduce a terminal for cruise ships and would result in increased use of the Bay for shipping and boating activity. Any shipping or boating activity would involve handling and storage of chemicals that could be discharged to surface waters. Potential pollutant sources from cruise ships include fuels, bilge or ballast water, boat cleaning and maintenance materials, chemicals and solvents used in on-board activities including dry cleaning and photo processing, sewage from toilets (also known as "black water") and gray water (includes shower, sink and galley water). However, standard cruise ship operations that would be implemented as part of the proposed project include provisions (i.e., on-board sewage treatment equipment and sewage "no discharge" zones) to protect Bay water quality from cruise ship discharges, and there are numerous regulations in place to protect water quality from impacts associated with maritime uses.

Fueling for the cruise ships would be arranged exclusively through local ship agents that would service the ships by bunkering from fuel barges. No fueling would occur from the deck of the pier. The ship agents would arrange for a fueling barge to pull alongside the cruise ship, and the fuel would be transferred from the barge to the cruise ship via hose. The amount of fuel taken on in San Francisco would depend on the ship's itinerary, the size of the ship and other factors, but would typically range from 500 to 1,500 tons of marine fuel. There are U.S. Coast Guard regulations and licensing requirements for the barges and the operators, with regular inspections of all of the equipment and periodic on-site monitoring. In addition, lube oil would occasionally be taken onto ships and waste oil occasionally removed from ships from service trucks on the pier.

While the potential increase in shipping and boating activity due to the proposed project could incrementally increase the potential for fuel spills to the Bay, compliance with existing regulations and implementation of standard prevention practices to protect the Bay from such spills would minimize potential risks. The Oil Pollution Act of 1990 amends Section 311 of the Clean Water Act to provide a comprehensive statute designed to expand oil spill prevention. Under this Act, cruise ships are prohibited from discharging oil or hazardous substances, in such quantities as may be harmful, into or upon U.S. navigable water or adjoining shorelines.

In addition to the U.S. Coast Guard regulations and licensing requirements for fuel barges, fuel spills to the Bay are regulated under provisions of the federal Oil Pollution Act and the California Oil Spill Response Act. Enforcement of these provisions is under the jurisdiction of the U.S. Coast Guard and the California Department of Fish and Game, with notification required to the RWQCB and the USEPA. The Port maintains an Oil Spill Prevention and Response Plan that provides an incident command system in

the event of a major oil spill in the Bay near San Francisco, as well as fuel spill kits for smaller spills. Compliance with these regulations would minimize the potential for water quality degradation associated with fuel spills from increased shipping and boating activity. As such, the project would result in a less than significant impact. In addition, implementation of an improvement measure identified in the Waterfront Plan EIR would further minimize the potential for these impacts. This measure is included in Chapter IV of this report as Improvement Measure D.2, which recommends that the Port work with the City and other agencies to obtain and assure funding for annual updating of the San Francisco Oil Spill Prevention and Response Plan.

Under Section 303(d) of the Clean Water Act, San Francisco Bay has been listed as an impaired water body, at least in part because of exotic species (a contributor to water quality degradation) brought into the Bay from ballast water. As of January 2000, ballast water from all vessels in California is regulated under the Ballast Water Management for Control of Nonindigenous Species Act, as described above. Cruise ships and other vessels would be required to comply with the specified management, reporting and fee procedures specified in this program. However, cruise ships do not typically take on or discharge large quantities of ballast water due to the relatively light load that passengers and stores represent on these vessels. Nevertheless, compliance with these regulations would minimize the potential for introducing nonindigenous aquatic species to San Francisco Bay as well as protect Bay waters from other pollutants and contaminants present in ballast water.

Hazardous waste discharges associated with cleaning materials, paint, chemicals and solvents used in on-board activities such as dry cleaning and photo processing may be regulated under the Resource Conservation and Recovery Act, although the applicability to vessels is not clearly defined. Currently, the standard cruise ship procedures include no discharge of these substances to the Bay, and no changes to this procedure would occur under the proposed project.

Sanitary sewage from the cruise ships is typically treated on-board with approved marine sanitation devices that include holding tanks for disposal when appropriate. Pumpout of sanitary sewage from the cruise ships would not be conducted in San Francisco, and there would be no pumpout facilities included in the proposed project. Therefore, sewage from the cruise ships and boats would not affect Bay water quality in the project vicinity. Discharges of gray water, while not specifically restricted in the Clean Water Act (except in the Great Lakes), does not typically occur by cruise ships in the Bay, although incidental discharges could occur.

Since the existing regulations relating to cruise ship discharges are currently under evaluation by the USEPA, the adequacy and effectiveness of current regulations pertaining to water quality protection from cruise ship discharges could be subject to change. The increased operation of cruise ships associated with operation of the proposed cruise ship terminal, while typically complying with all applicable regulations, could potentially result in the degradation of water quality. As such, the proposed Cruise Terminal project could result in a potentially significant impact to water quality. Regulatory

review and actions to address this potential impact are in progress on a federal and state level, as previously discussed, and if implemented, these actions would likely mitigate potential impacts.

Thus, due to uncertainty in the effectiveness of existing regulations and the potential for discharges to occur (although such occurrences would likely be very infrequent), the increase in shipping activities associated with the proposed project could potentially result in degradation of water quality. This would be considered a significant impact. Implementation by the project sponsor of Mitigation Measure D.1 (see Chapter IV), which would create and maintain a program designed to prevent cruise ships from releasing discharges to San Francisco Bay, would reduce these impacts to a less than significant level. In addition, the results of the ongoing USEPA study would indirectly affect cruise ship operations in San Francisco Bay, and, in the long run, would serve to improve water quality protection in the Bay.

Maintenance Dredging (*Cruise Terminal project only*)

The proposed project would require approximately 20,000 to 25,000 cubic yards of annual maintenance dredging after the initial dredging of approximately 166,500 cubic yards, as discussed below under "Construction Dredging." The proposed annual maintenance dredging would be about ten percent of the Port's annual maintenance dredging, based on the records of the last five years. Over a five-year period, this annual volume of dredging is about seven to nine percent of the currently permitted dredge volumes authorized by the Corps, RWQCB, and BCDC, as described above. The permit requires sampling and testing of sediments prior to dredging, identifies authorized methods for removal of sediments, and specifies approved locations for disposal of dredged materials.

The maintenance dredging required under the proposed project is within the range of the existing maintenance dredging program for the Port of San Francisco and would represent a negligible change from existing practices at the Port for dredging and disposal of dredge materials. It is assumed that re-authorization of the Port's maintenance dredging permit would occur and would include similar provisions and conditions as the existing permit. Continued compliance with the maintenance dredging permit requirements as determined by the Corps, RWQCB, and Corps would provide continued protection of Bay water quality. As noted above, maintenance dredging, where the dredged material is to be deposited in an area authorized by all applicable state and federal regulatory agencies, is considered to be a Class 4 Categorical Exemption under CEQA. Therefore, water quality impacts associated with maintenance dredging would be less than significant.

Construction Effects

Land-Based Construction Activities

Construction of the proposed Cruise Terminal and Brannan Street Wharf projects could affect water quality either directly or indirectly, due to grading and earthmoving activities (seawall lot only), use of fuels and other chemicals for construction equipment, and construction on piers directly over the Bay.

Grading and earthmoving activities on the seawall lot would result in exposure of soil during construction and, without proper controls, could result in erosion and excess sediments carried in stormwater runoff to the combined sewer system. Since proposed construction activities would involve approximately three acres of soil disturbance (and therefore less than the five-acre threshold), the Cruise Terminal project would not be subject to NPDES stormwater regulations until 2002 or early 2003, as described above. In addition, construction activities at either project site would likely require temporary on-site use and storage of vehicles, fuels, wastes and other pollutant sources; if improperly handled, these pollutants could also be transported in stormwater runoff to the Bay (from construction on the piers) or to the sewage system (from the seawall lot). Due to the limited size of the construction sites and short-term duration of construction activities, these impacts would be considered less than significant. However, in order to ensure that proper controls are in place during construction of the Cruise Terminal project, it is recommended that the Cruise Terminal project sponsor prepare and implement a SWPPP to minimize construction water quality impacts (see Improvement Measure D.3). The SWPPP would identify pollutant sources within the construction area and recommend site-specific BMPs to prevent discharge of pollutants into stormwater. Implementation of these improvement measures would provide maximum protection of water quality.

In addition, construction activities located on the piers are directly adjacent to the Bay, and there would be a potential for spills and for construction materials or debris to enter the Bay and affect water quality, particularly if construction activities occur on windy days. Even though Piers 30-32 and 36 consist primarily of vacant parking areas, some demolition would be required for pier reconstruction (Pier 30-32), pier removal (Pier 36), and removal of the storage structure on Pier 36. Water quality impacts associated with demolition and construction in proximity to the Bay are discussed in the Waterfront Plan EIR (see p. 595). These impacts would be considered less than significant. However, implementation of the improvement measure identified in the Waterfront Plan EIR, and presented in Chapter IV of this report as Improvement Measure D.4, would minimize these impacts for both projects.

Construction Activities In the Bay

The proposed Wharf project includes removal of Pier 36, and the Cruise Terminal project includes upgrading and improvements to Pier 30-32 (see Section II.B, Project Description, for a description of these activities). Removal and reconstruction of piers and pilings would result in short-term disturbance of localized Bay sediments and could also result in construction debris and associated chemicals affecting water quality. As described above, existing sediments along the nearshore Bay water may contain historic accumulation of chemicals. Disturbance of these sediments would temporarily increase turbidity and re-suspend these sediments in Bay waters. Suspended sediments in the water column can lower levels of dissolved oxygen, increase salinity, increase concentrations of suspended solids, and possibly release chemicals present in the sediments into the water. However, normal circulation and tidal effects of water in the Bay would generally disperse and dilute the affected water following completion of construction activities. Therefore, due to the limited extent and temporary nature of construction activities in the Bay, these impacts would be considered less than significant.

Historic pilings along the waterfront are typically constructed of wood that has been treated with creosote and encased in concrete. Creosote is an effective wood preservative in a marine environment but also may contain organic compounds toxic to marine organisms. Although removal of creosote pilings may release some organic substances, replacement of the pilings would either be with concrete pilings or other materials, since use of creosote pilings is no longer permitted. Replacement of creosote pilings with non-toxic materials would result in a long-term improvement in water quality. Approximately 4,000 piles support Pier 30-32; construction of the Cruise Terminal project would involve removal of about 120 piles and driving of about 100 new vertical and 400 new battered (angled for lateral support) piles. A yet-to-be determined number of piles would be repaired and replaced. The Brannan Street Wharf project would involve driving of approximately 50 new piles in addition to the repair of an unknown number of marginal wharf piles.

Construction Dredging *(Cruise Terminal project only)*

The proposed Cruise Terminal project is estimated to require an initial dredging of about 166,500 cubic yards of sediments. Dredging would be required to deepen and maintain adequate depth (about 35 feet) for the cruise ship berths along the northern side of Pier 30-32. Dredging activities in the Bay have the potential to affect water quality in the following ways: (1) by causing short-term increases in turbidity and salinity with associated reduction in dissolved oxygen, and (2) by exposing previously contaminated sediments and releasing those contaminants into the water column. These dredging impacts on water quality would in turn have the potential to affect marine organisms and their habitat. In particular, dredging could adversely affect Pacific herring spawning, if dredging were conducted during the peak herring spawning period of December 1 through February. However, dredging activities within San Francisco Bay require appropriate permits and compliance with established regulatory requirements that include provisions to protect water quality and the marine environment.

As noted above, the Port's current Corps dredging permit precludes dredging during the peak Pacific herring spawning season unless approved by the California Department of Fish and Game. Although this initial dredging would be required in order to construct the proposed cruise terminal, the initial dredging would be considered maintenance dredging at Pier 30-32 for the Port of San Francisco.[26] The Port periodically dredges this area, and the most recent records for maintenance dredging at Pier 30-32 indicate that dredging has occurred in 1974, 1980, 1983, and 1984. The records are incomplete with regard to depth of dredging and volume, especially at Pier 30, but the last dredge there was approximately 14,000 cubic yards to a depth of 30 feet in March, 1982. At Pier 32, 15,600 cubic yards, 18,600 cubic yards, and 25,600 cubic yards were dredged in 1980, 1983, and 1984, respectively. Dredging at both piers was planned for 1992, but was apparently never conducted (Ach, 2001).

Maintenance dredging for the proposed Cruise Terminal project would be conducted under the authorization of the Port's existing dredging permits with the Corps, RWQCB and BCDC if the dredging

[26] See the BCDC letter dated September 21, 2001 in Appendix E for additional information regarding the characterization of the initial dredging being considered maintenance dredging.

is completed prior to November, 2002. If the dredging is completed after November, 2002, it would have to be authorized by a new maintenance dredging permit issued to the Port. The Port would be required to conform with all permit requirements, including sediment sampling and testing, avoidance of herring spawning season, and acceptable dredge disposal sites. Compliance with permits would provide protection of water quality and the marine habitat. Therefore, the impacts of the initial dredging would be less than significant.

Cumulative Impacts

Ongoing and continued new development along San Francisco's bayside, including redevelopment and intensification of existing uses such as the proposed project, could lead to cumulative increases in discharges to the City's combined sewer system and associated CSOs, particularly during wet weather. Even though the City's waterfront is largely developed and the majority of stormwater flow currently drains to the combined sewer system, individual projects or new developments within this area could lead to localized increases in density and that could redistribute wastewater flows. In particular, larger developments, like the recently approved Mission Bay project, may require separate stormwater and wastewater systems in order to minimize impacts to the City's combined sewer system and to reduce impacts to CSOs.

However, the proposed project is estimated to result in an increase of 0.7 million gallons per year to the existing combined sewer overflow discharges, or less than one-tenth of one percent. Regardless of the overall conditions of the bayside combined sewer system, the estimated increase in CSOs associated with the proposed project would be considered negligible, and any contribution to increases in CSOs would not be cumulatively considerable. Therefore, cumulative impacts associated with the proposed project would be less than significant.

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E. AIR QUALITY

The subject of air quality relates to emissions and ambient concentrations in the atmosphere. This section analyzes the types and quantities of emissions that would be generated on a temporary basis due to project construction and over the long term due to project operation.

SETTING

Emissions estimates give only an indication of the potential for violation of the ambient air quality standards and cannot be directly compared to the standards. Ambient air quality standards represent concentrations of pollutants below which public health and welfare is protected. This setting discussion provides an overview of the regulatory context followed by a discussion of the climate and topography of the area; plans, policies and regulations; and existing air quality conditions in the project area.

METEOROLOGY

The Cruise Terminal and Brannan Street Wharf project sites are located in the city of San Francisco, within the boundaries of the San Francisco Bay Area Air Basin (Bay Area) as designated by the California Air Resources Board (CARB). The climate of the Bay Area is determined largely by a high-pressure system that is almost always present over the eastern Pacific Ocean off the West Coast of North America. High pressure systems are characterized by an upper layer of dry air that warms as it descends, restricting the mobility of cooler marine-influenced air near the ground surface, and resulting in the formation of subsidence inversions. During summer and fall, emissions generated in the Bay Area can combine with abundant sunshine under the restraining influences of topography and subsidence inversions to create conditions that are conducive to the formation of photochemical pollutants, such as ozone and secondary particulates, such as nitrates and sulfates. In the winter, the Pacific high pressure system shifts southward, allowing storms to pass through the area.

Temperatures in the San Francisco area average 58 degrees Fahrenheit annually, ranging from the mid-40s on winter mornings to the mid-70s in late summer afternoons. The strong onshore flow of wind in summer keeps cool air and frequent cloudiness over the Bay Area until September when the offshore Pacific high pressure center weakens and migrates southward. Warmest temperatures generally occur in September and October. Temperature extremes, reaching 90 degrees or dropping to freezing, are rare in San Francisco. Rainfall in San Francisco averages 18 inches per year and is confined primarily to the "wet" season from late October to early May. Except for occasional light drizzles from thick marine stratus clouds, summers are almost completely dry.

Winds in the San Francisco area display several characteristic regimes. Within San Francisco, winds are generally from the west, although wind patterns are often influenced greatly by local topographic features. In the project area, winds generally blow out of the west-southwest, west, and west-northwest (Environmental Science Associates, 1998). Wind data collected at a location 1.5 miles south of the project area between Piers 70 and 72 are representative of typical wind conditions within the greater

project vicinity. The data shows that winds blowing from the south, clockwise through northwest, account for approximately 67 percent of all observations in the project area. Winds from these directions carry pollutants released from the project site out over the Bay and not on the land area surrounding the site. Average wind speeds observed were approximately eight miles per hour.

REGULATORY CONTEXT

Criteria Air Pollutants

Regulation of air pollution is achieved through both national and state ambient air quality standards and emissions limits for individual sources of air pollutants. The federal Clean Air Act Amendments of 1970 established national ambient air quality standards for criteria pollutants to protect public health and welfare. National standards have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, particulate matter and lead. These pollutants are called "criteria air pollutants" as they are more pervasive in the environment and standards have been established for each of them to meet specific public health and welfare criteria. Individual states were given the option to adopt more stringent state standards for criteria pollutants and to include other pollutants. California had already established its own air quality standards when federal standards were established, and because of the unique meteorological conditions and associated air quality problems in the state, there is considerable diversity between state and federal standards currently in effect in California, as shown in Table 8. The ambient air quality standards incorporate a margin of safety and are designed to protect those segments of the public most susceptible to respiratory distress. These people, known as sensitive receptors, include asthmatics, the very young, the elderly, people weak from other illness or disease, or persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollution levels somewhat above the ambient air quality standards before adverse health effects are observed.

Amendments to the federal Clean Air Act require EPA to classify air basins or portions thereof, as either "attainment" or "nonattainment" for each criteria pollutant, based on whether or not the national standards have been achieved. The California Clean Air Act passed by the state legislature in 1988 also requires areas to be designated as "attainment" or "nonattainment" based on whether or not state standards have been achieved. Therefore areas in California have two sets of attainment/nonattainment designations: one for the federal standards and one for the state standards.

Under the federal Clean Air Act, nonattainment areas are required to prepare air quality plans that include strategies for achieving attainment. Air quality plans prepared to meet federal requirement are called State Implementation Plans. Similarly, the California Clean Air Act requires nonattainment areas to prepare air quality plans showing strategies for achieving attainment with respect to state standards.

TABLE 8
STATE AND NATIONAL CRITERIA AIR POLLUTANT STANDARDS, EFFECTS, AND SOURCES

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone	1 hour	0.09 ppm	0.12 ppm	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when reactive organic gases (ROG) and nitrogen oxides (NO_X) react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial / industrial mobile equipment.
Carbon Monoxide	1 hour 8 hours	20 ppm 9.0 ppm	35 ppm 9 ppm	Classified as a chemical asphyxiant, carbon monoxide interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
Nitrogen Dioxide	1 hour Annual Avg.	0.25 ppm ---	--- 0.053 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
Sulfur Dioxide	1 hour 3 hours 24 hours Annual Avg.	0.25 ppm --- 0.04 ppm ---	--- 0.5 ppm 0.14 ppm 0.03 ppm	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
Respirable Particulate Matter (PM_{10})	24 hours Annual Avg. Annual Avg.	50 ug/m^3 30 ug/m^3 ---	150 ug/m^3 50 ug/m^3 15 ug/m^3	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g. wind-raised dust and ocean sprays).
Lead	Monthly Quarterly	1.5 ug/m^3 ---	--- 1.5 ug/m^3	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurologic dysfunction.	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.

NOTE: ppm = parts per million; ug/m^3 = micrograms per cubic meter.

SOURCES: South Coast Air Quality Management District, *1997 Air Quality Management Plan*, November 1996; http://www.arb.ca.gov/heath/heath.htm.

Toxic Air Contaminants

Toxic Air Contaminants (TAC) are less pervasive in the urban atmosphere than the criteria air pollutants, but are linked to short-term (acute) or long-term (chronic and/or carcinogenic) adverse human health effects. There are hundreds of different types of toxic air contaminants, with varying degrees of toxicity. Sources of toxic air contaminants include industrial processes, commercial operations (e.g., gasoline stations and dry cleaners), and motor vehicle exhaust. Unlike regulations concerning criteria air pollutants, there are no ambient air quality standards for evaluation of toxic air contaminants based on the amount of emissions. Instead, emissions of toxic air contaminants are evaluated based on the degree of health risk that could result from exposure to these pollutants.

Toxic air contaminants are regulated under the 1977 federal Clean Air Act Amendments. The most recent federal Clean Air Act Amendments (1990) reflect a technology-based approach for reducing toxic air contaminants. The first phase involves requiring facilities to install Maximum Achievable Control Technology (MACT). The MACT standards vary depending on the type of emitting source. U.S. EPA has established MACT standards for more than 57 facilities or activities, such as perchloroethylene dry cleaning and petroleum refineries, as of the end of year 1999. The second phase of control involves determining the residual health risk represented by air toxics emissions sources after implementation of MACT standards.

Two principal laws provide the foundation for state regulation of toxic air contaminants from stationary sources. In 1983, the State Legislature adopted Assembly Bill 1807, which established a process for identifying toxic air contaminants and providing the authority for developing retrofit air toxics control measures on a statewide basis. The current list of toxic air contaminants includes approximately 200 compounds, including all of the toxics identified under federal law plus additional compounds, such as particulate emissions from diesel-fueled engines, which was added in 1998. Therefore, diesel particulate emissions from cruise ships assessed in this project would be considered TACs. Air toxics from stationary sources in California are also regulated under Assembly Bill 2588, the Air Toxics "Hot Spots" Information and Assessment Act of 1987. Under Assembly Bill 2588, toxic air contaminant emissions from individual facilities are quantified and prioritized by the local air districts. High priority facilities are required to perform a health risk assessment, and if specific thresholds are violated, they are required to communicate the results to the public in the form of notices and public meetings. Depending on the risk level, emitting facilities can be required to implement varying levels of risk reduction measures. Mobile sources, such as marine diesel engines, are not required to perform risk assessments.

REGULATORY AGENCIES

U.S. EPA is responsible for implementing the myriad of programs established under the federal Clean Air Act. This includes establishing and reviewing the national ambient air quality standards and judging the adequacy of State Implementation Plans. U.S. EPA has delegated the authority to implement many of the federal programs to the states while retaining an oversight role to ensure that the programs continue to be implemented. California Air Resources Board (CARB), the State's air quality

management agency, is responsible for establishing and reviewing the state ambient air quality standards, compiling the California State Implementation Plan (SIP) and securing approval of that plan from U.S. EPA, and identifying toxic air contaminants. CARB also oversees the activities of air quality management districts, which are organized at the county or regional level. As a general matter, U.S. EPA and CARB regulate emissions from mobile sources and the air districts (e.g., the Bay Area Air Quality Management District) regulate emissions from stationary sources associated with industrial and commercial activities.

AIR QUALITY PLANS, POLICIES AND REGULATIONS

Plans and Policies

The Bay Area is currently designated "nonattainment" for state and national ozone standards and for the state PM-10 standard (Air Resources Board, 2000). These standards are shown in Table 8, above. Urbanized areas within the Bay Area are also designated as a "maintenance" area for the national carbon monoxide standard. The "maintenance" designation denotes that the area is now designated as "attainment" had once been designated as "nonattainment." The Bay Area is in "attainment" or is "unclassified" for all other ambient air quality standards.

As noted above, the federal Clean Air Act and the California Clean Air Act require regional planning and air pollution control agencies to prepare Air Quality Plans. These plans contain measures through which both stationary and mobile sources of pollutants can be controlled in order to achieve federal and state ambient air quality standards. To fulfill requirements for the San Francisco Bay Area Air Basin, the Association of Bay Area Governments (ABAG), the Metropolitan Transportation Commission (MTC), and the Bay Area Air Quality Management District (BAAQMD) jointly prepared a *Bay Area Air Quality Plan* in 1982 which predicted attainment of all national clean air standards within the basin by 1987. This forecast was somewhat optimistic in that attainment of federal clean air standards has not yet occurred. The current San Francisco Bay Area *Ozone Attainment Plan for the 1-hour National Ozone Standard* (often called the SIP) was prepared and adopted in June 1999 (ABAG, 1994a). To ensure continued attainment of the national carbon monoxide standard, the Carbon Monoxide Maintenance Plan (ABAG, 1994b) has been adopted.

As required under the California Clean Air Act, the *Bay Area Clean Air Plan* (CAP) was prepared in 1991. Triennial assessments and revisions to the CAP have subsequently been prepared in 1994, 1997 and 2000. The 2000 *Bay Area Clean Air Plan* contains specific measures intended to improve air quality through tighter industry controls, cleaner cars and trucks, cleaner fuels, and increased commute alternatives, including transportation control measures designed to reduce the contribution of the automobile, the single most important contributor to degraded air quality. The plan encourages cities and counties to adopt measures to support this goal. Any project that attracts automobile traffic may be found to have a significant air quality impact, according to BAAQMD, if the project's traffic generation has not been properly anticipated in the regional air quality plan. The Bay Area is now in attainment for CO after state CO standards were met in 1993. Therefore the California Clean Air Act requirements no

longer apply to the Bay Area. No air quality plans are required for areas violating the state PM-10 standard.

As mentioned earlier, U.S. EPA and the CARB share regulatory authority over mobile sources. Unlike stationary sources, mobile sources of air pollutants are not regulated through individual permits but rather through emissions standards enforced on engine and vehicle manufacturers, through fuel specifications, and through vehicle inspection and maintenance programs. Unlike autos and trucks, over which U.S. EPA and CARB share regulatory authority, U.S. EPA has exclusive authority to establish emission standards for marine vessels and locomotives. Until recently, emissions associated with marine vessels and locomotives have been largely unregulated. However, in 1999, U.S. EPA issued a final rule that establishes emissions standards for large, commercial, marine, diesel engines used in the United States (USEPA, 1999). These standards take effect for new engines manufactured starting in 2004, 2005 or 2007, depending on their size. U.S. EPA estimates that implementation of the new standards will lead to a 24 percent reduction in emissions of NOx and a 12 percent reduction in emissions of particulate matter by 2030, when the program is fully phased in.

AMBIENT AIR QUALITY

The Bay Area Air Quality Management District (BAAQMD) operates a regional monitoring network that measures the ambient concentrations of the six criteria air pollutants: ozone, carbon monoxide (CO), respirable particulate matter (PM10), lead, nitrogen dioxide, and sulfur dioxide. Monitored ambient air pollutant concentrations reflect the number and strength of emission sources and the influence of topographical and meteorological factors. Existing and probable future levels of air quality in San Francisco can be generally inferred from ambient air quality measurements conducted by the BAAQMD at its two San Francisco monitoring stations. The Potrero Hill station at 16th and Arkansas Streets measures all criteria pollutants, including regional pollution levels (ozone), as well as primary vehicular emission levels near busy roadways (CO). The station at 939 Ellis Street (between Van Ness and Franklin) at BAAQMD headquarters measures only carbon monoxide. Table 9 summarizes published data for the past five years (1996 to 2000) from these monitoring stations. The project site is located approximately 2 miles to the east of the Ellis Street station and 1.5 miles northeast of the Arkansas Street station.

Ozone

Ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and that can cause substantial damage to vegetation and other materials. Ozone is not emitted directly into the atmosphere, but is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and nitrogen oxides (NO_X). ROG and NO_X are known as precursor compounds for ozone. Significant ozone production generally requires ozone precursors to be present in a stable atmosphere with strong sunlight for approximately three hours. Ozone is a regional air pollutant because it is not emitted directly by sources, but is formed downwind of sources of ROG and NO_X under the influence of wind and sunlight. Ozone concentrations tend to be higher in the late spring, summer, and fall, when the long sunny days combine with regional subsidence

TABLE 9
SUMMARY OF MONITORING DATA FOR THE ARKANSAS STREET AND ELLIS STREET STATIONS, 1996-2000

Pollutant	State Standard	National Standard	Pollutant Concentration by Year[a]				
			1996	1997	1998	1999	2000
Ozone							
Highest 1-hour average, ppm [b]	0.09	0.12	0.07	0.07	0.05	0.08	0.06
Days over State Standard			0	0	0	0	0
Days over National Standard			0	0	0	0	0
Highest 8-hour average, ppm	NA	0.08	0.05	0.06	0.05	0.06	0.04
Days over National Standard			0	0	0	0	0
Carbon Monoxide (Arkansas Street)							
Highest 8-hour average, ppm	9.0	9	3.9	3.5	4.0	3.7	2.5
Days over Standard			0	0	0	0	0
Carbon Monoxide (Ellis Street)							
Highest 8-hour average, ppm	9.0	9	5.6	5.8	3.7	4.6	2.9
Days over Standard			0	0	0	0	0
Respirable Particulate Matter (PM-10)							
Highest 24-hour average, $\mu g/m^3$ [b]	50	150	**71**	**81**	**52**	**78**	**53**
Number of samples [c]			61	61	61	61	49
Days over State Standard			2	3	1	6	1
Days over National Standard			0	0	0	0	0
Annual average, $\mu g/m^3$	30	50	21	23	20	23	21

NOTE: **Bold** values are in excess of applicable standard. NA = Not Applicable or Not Available.

[a] Data was collected at the Arkansas Street monitoring station unless otherwise noted. The Ellis Street station monitors for carbon monoxide only.

[b] ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter.

[c] PM-10 is not measured every day of the year. The term, "number of samples" refers to the number of 24-hour-average PM-10 samples collected in a given year at the Arkansas Street monitoring station.

SOURCE: California Air Resources Board, *Summary of Air Quality Data, Gaseous and Particulate Pollutants*, 1996, 1997, 1998, 1999 and 2000; www.arb.ca.gov/adam.

inversions to create conditions conducive to the formation and accumulation of secondary photochemical compounds, like ozone.

Peak ozone values in San Francisco declined in the mid-1990s but have started to climb again (Table 9). Based on the data shown in Table 9, there have been no exceedances of the state or national ozone standard in the project vicinity over the past five years.

Carbon Monoxide

Carbon monoxide is a non-reactive pollutant that is a product of incomplete combustion and is mostly associated with motor vehicle traffic. High carbon monoxide concentrations develop primarily during winter when periods of light winds combine with the formation of ground level temperature inversions (typically from the evening through early morning). These conditions result in reduced dispersion of vehicle emissions. Motor vehicles also exhibit increased carbon monoxide emission rates at low air temperatures. When inhaled at high concentrations, carbon monoxide combines with hemoglobin in the blood and reduces the oxygen-carrying capacity of the blood. This results in reduced oxygen reaching the brain, heart, and other body tissues. This condition is especially critical for people with cardiovascular diseases, chronic lung disease or anemia.

Table 9 shows that exceedances of ambient carbon monoxide standards have not occurred at the Arkansas Street station and the Ellis Street station areas in the last five years. Based on BAAQMD carbon monoxide isopleth maps, background carbon monoxide concentrations in the project vicinity are approximately 4.4 parts per million for both one-hour and eight-hour averages (Bay Area Air Quality Management District, 1999). On-road motor vehicles are responsible for approximately 69 percent of the carbon monoxide emitted within San Francisco (California Air Resources Board, 1999). Carbon monoxide emissions are expected to decrease within the City by approximately 50 percent between 1996 and 2010 due to attrition of older, high polluting vehicles, improvements in the overall automobile fleet, and improved fuel mixtures.

Particulate Matter

PM-10 and PM-2.5 consist of particulate matter that is 10 microns (a micron is one-millionth of a meter) or less in diameter and 2.5 microns or less in diameter, respectively. PM-10 and PM-2.5 represent fractions of particulate matter that can be inhaled into the air passages and the lungs and can cause adverse health effects. Particulate matter in the atmosphere results from many kinds of dust- and fume-producing industrial and agricultural operations, fuel combustion, and atmospheric photochemical reactions. Some sources of particulate matter, such as demolition and construction activities, are more local in nature, while others, such as vehicular traffic, have a more regional effect. Very small particles of certain substances (e.g., sulfates and nitrates) can cause lung damage directly, or can contain adsorbed gases (e.g., chlorides or ammonium) that may be injurious to health. Particulates also can damage materials and reduce visibility.

Based on the data in Table 9, PM-10 concentrations measured in San Francisco show occasional violations of the state 24-hour-average standard approximately 5 percent of the time, which is equivalent to approximately 18 days per year. However, maximum PM-10 levels have declined over the five-year period shown in Table 9. Local exceedances of state PM-10 standards in San Francisco have been largely due to emissions from within the City. The primary sources of PM-10 in the City are construction and demolition activities, combustion of fuels for heating, industrial emissions and vehicle travel over paved roads (BAAQMD, 1999). In general, particulate levels are relatively low near the coast and increase with

distance from the coast, and peak in dry, sheltered valleys. Direct PM-10 emissions in San Francisco are expected to decrease by approximately 6 percent between 1996 and 2010.

Because ozone is a regional pollutant and precursors can travel long distances before they react to form ozone, project emissions of ROG and NOx would probably contribute to regional ozone levels as they are transported inland (wind generally blows from the coast toward inland valleys in summer). Table 10 presents ozone data summaries for the past ten years for the BAAQMD's entire regional network of monitoring stations. As shown in Table 10, the regional monitoring network has recorded exceedances of the state ozone standard on an average of approximately 20 days per year over the past ten years with 1996 being the worst year with 34 exceedances and 1997 being the best year with only 8 exceedances. Coastal monitoring stations, such as those in San Francisco, Oakland, and San Rafael, record the fewest exceedances, while inland valley stations, such as those in Livermore, Concord, and Gilroy, record the most violations. Exceedances of national one-hour and national eight-hour ozone standards occur less frequently: on approximately 4 and 8 days per year, respectively.

Comparison of the air quality data with those from other BAAQMD monitoring stations indicates that San Francisco's air quality is among the least degraded of all developed portions of the Bay Area. Three of San Francisco's four prevailing wind directions, west, northwest, and west-northwest, blow from the Pacific Ocean, reducing the potential for San Francisco to receive air pollutants from elsewhere in the region.

SENSITIVE RECEPTORS

Land uses such as schools, children's day care centers, hospitals, and convalescent homes are considered to be more sensitive than the general public to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality. Therefore, parks and other recreational area are also considered to be sensitive. Residential areas are considered more sensitive to air quality conditions compared to commercial and industrial areas because people generally spend longer periods of time at their residences, with associated greater exposure to ambient air quality conditions.

The project sites are located on the shoreline of San Francisco Bay just south of the Bay Bridge. Sensitive receptors include areas of residential and recreational use and nearby public schools. Surrounding land uses are primarily residential, with some commercial and retail activity. The Marin Day School daycare in the Hills Plaza is an existing day care center located two blocks from the center. The closest public open spaces to the project sites include South Beach Park, a small green open space located where King Street transitions into the Embarcadero, and South Park, an oval green space located three blocks to the west between Second and Third Streets and Brannan and Bryant Streets. PortWalk, a continuous public access system along the waterfront that includes Herb Caen Way, is adjacent to the project sites. A new public open space to be named Rincon Park is planned for construction along the

TABLE 10
SUMMARY OF OZONE DATA SUMMARIES FOR THE SAN FRANCISCO BAY AREA AIR BASIN, 1990–2000

Year	Number of Days Standard Exceeded			Ozone Concentrations in ppm[b]				
				1 Hour			8 Hour	
	State 1 hr	Federal 1 hr	Federal 8 hr	Max 1 hr	3 Year 4th High[c]	EPDC[c]	Max 8 hr	3 Year Avg. 4th High[c]
2000	12	3	9	0.15	NA	NA	0.144	NA
1999	20	3	4	0.16	NA	NA	0.122	NA
1998	29	8	16	0.15	0.14	0.151	0.111	0.089
1997	8	0	0	0.11	0.14	0.149	0.084	0.090
1996	34	8	14	0.14	0.14	0.151	0.112	0.093
1995	28	11	18	0.16	0.14	0.135	0.115	0.087
1994	13	2	4	0.13	0.12	0.118	0.097	0.082
1993	19	3	5	0.13	0.12	0.126	0.112	0.081
1992	23	2	6	0.13	0.12	0.130	0.101	0.082
1991	23	2	6	0.14	0.13	0.129	0.108	0.084
1990	14	2	7	0.13	0.13	0.136	0.105	0.088

NOTE: NA = Not Applicable or Not Available.

[a] This table summarizes the data from all of the monitoring stations within the Bay Area.
[b] ppm = parts per million.
[c] The 3 year 4th high, 3 year average 4th high and Expected Peak Day Concentration (EPDC) are calculated based on the data for 3 successive years, listed by the last year of the three year period. This data is used to track ozone trends and is important to demonstrate attainment in the SIP. The EPDC represents the ozone concentration expected to occur once per year. Data for the years 1999 and 2000 are not yet available.

SOURCE: California Air Resources Board web site at www.arb.ca.gov. March, 2001.

waterfront on the eastern side of The Embarcadero between Howard and Harrison Streets, one block north of the Bay Bridge. In addition, the proposed Brannan Street Wharf open space would be located immediately adjacent to the Cruise Terminal project site.

IMPACT ASSESSMENT

Construction and operation of the Cruise Terminal project would affect air quality primarily through construction-related emissions and transportation-related exhaust emissions. Construction-related emissions would be short-term and would vary with each specific activity during project construction. Transportation-related exhaust emissions would be long-term and would result from traffic increases associated with operation of the project and from cruise ships calling at the pier.

SIGNIFICANCE CRITERIA

Generally, a project would have a significant effect on the environment with respect to air quality if it would:

- Conflict with or obstruct implementation of the Bay Area Air Quality Plan;
- violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation;
- result in a cumulatively considerable net increase of a criteria pollutant for which the project area is nonattainment with respect to a state or national ambient air quality standard;
- expose sensitive receptors to substantial pollutant concentrations, or
- permeate its vicinity with objectionable odors affecting a substantial number of people.

The BAAQMD has published a set of recommendations that provide specific guidance on evaluating projects under CEQA relative to the above general criteria (BAAQMD, 1999). Construction emissions are typically considered less than significant if appropriate mitigation is employed to minimize dust emissions. For evaluating long term impacts, increases in operational emissions on a regional basis are estimated by evaluating the total amount of criteria pollutants that the project would emit throughout the Bay Area airshed. Based on BAAQMD guidance, this report uses a threshold of 80 pounds per day or 15 tons per year of reactive organic gases, nitrogen oxides, and inhalable particulates from direct and indirect sources to identify significant impacts.

Where necessary to gather additional data, local impacts are analyzed using dispersion modeling to evaluate concentration of particular pollutants at nearby receptors. Carbon monoxide (CO) emissions are considered in the context of concentrations near intersections measured against the state standard, since CO is a local pollutant with the greatest impacts being at receptors near the source. The closer the receptor is to a source, the more likely it is that a significant impact could occur. BAAQMD recommends that cumulative air quality impacts be discussed with reference to the consistency of a project with the regional Clean Air Plan.

CONSTRUCTION IMPACTS

The Brannan Street Wharf project would involve demolition and construction, and therefore would have the potential for construction-related emissions, but would not result in operational mobile or stationary emissions. Further, as a public recreational open space, the Brannan Street Wharf park would be considered a site for sensitive receptors, and therefore would potentially be affected by ambient air quality conditions or emissions related to the Cruise Terminal project. As such, only those portions of the impact discussion below that address these issues are relevant to the Brannan Street Wharf project.

Construction related emissions would be short-term, but may still cause adverse effects on the local air quality. Regarding the Cruise Terminal project, Pier 30-32 is currently used for vehicle parking, berthing

ships and for other temporary storage uses. The only structure currently on the pier is Red's Java House, a small restaurant occupying a corner of the site. Seawall Lot 330 is currently being used as a surface parking lot. There are no structures on this lot. The Brannan Street Wharf project site is vacant except for vehicle parking and other storage uses that occur on Pier 36 and the marginal wharf. Construction of the Cruise Terminal project would occur over a period of 25 months and construction of the Brannan Street Wharf project would occur over approximately one year. The construction activities associated with development would generate dust (including the respirable fraction known as PM-10).

In addition to dust, exhaust emissions from primarily diesel operated construction equipment and vehicles, such as heavy equipment and delivery/haul trucks, air compressors, and generators, would occur during construction. Vehicles for construction workers (primarily gasoline operated) would also result in air pollutant emissions, but the levels would be negligible compared to emissions from on-site heavy equipment and from transport trucks. Potential dust and exhaust emissions associated with construction of the project would be depend on the level and type of activity, silt content of the soil, and the weather.

In the absence of mitigation, construction activities may result in significant amounts of dust, and as a result, local visibility and PM-10 concentrations may be adversely affected on a temporary and intermittent basis during the construction period. In addition, the fugitive dust generated by construction would include not only PM-10, but also larger particles, which would fall out of the atmosphere within several hundred feet of the site causing nuisance-type impacts. The BAAQMD does not require quantification of construction emissions but considers any project's construction-related impacts to be adequately mitigated if required dust-control measures are implemented (BAAQMD, 1999). The extent of dust-control measures called for by the BAAQMD depends on the size of the project. The area under construction at any given time would likely exceed the four-acre BAAQMD threshold for large construction sites. Therefore, implementation of BAAQMD's standard and enhanced dust control procedures (included in Mitigation Measure E.1 in Chapter IV, Mitigation Measures) would reduce fugitive dust impacts from construction activities to a less-than-significant level.

Equipment exhaust emissions during construction would be generated by vehicular traffic related to construction activities, including automobiles transporting workers to and from the project site, and from construction equipment and machinery, both land- and marine-based . Equipment exhaust would emit ozone precursors and carbon monoxide. Where construction occurs in close proximity to residential uses, there would be a potential for unhealthful exposure of sensitive receptors to equipment exhaust. Similar to dust emissions, equipment activity levels are related to the size and extent of earthmoving requirements in site preparation. Emission levels for construction activities vary depending on the type of equipment, duration of use, operation schedules, and the number of construction workers. Although these emissions could temporarily contribute to local air quality degradation, the BAAQMD does not consider construction exhaust emissions significant because they have already been included in the District's regional planning inventories and are not expected to impede regional attainment or

maintenance of air quality standards. Therefore, with implementation of Mitigation Measure E.1, the project's construction-related air quality impacts would be reduced to less than significant.

PROJECT OPERATIONAL IMPACTS

Regional Emissions

Project-related daily and annual regional emissions of ROG, NOx and PM-10 were estimated for analysis years 2004 and 2020 and are presented in Table 11. Project-generated motor vehicle pollutant emissions and emissions from area sources such as space heating and landscaping, were calculated using the California Air Resources Board model URBEMIS7G. Emissions from cruise ship activity at the cruise terminal were calculated based on emission factors contained in the Marine Vessels Emissions Inventory and Control Strategies Report (Acurex Environmental, 1999) and ship activity information provided by the cruise ship companies. Three cruise ship sizes (small, medium, and large) were assumed based on their gross tonnage (less than 45,000, 45,000 to 70,000, and greater than 70,000). Emissions for each ship size were calculated using average engine bHp values for each ship size, times in different modes (cruising, maneuvering and hoteling), and the load factor during each mode. Emissions from the operation of tugs that would maneuver large ships into port, as well as emissions from the operation of boilers while the ships would be docked, are included in the estimates. The details of these calculations are provided in Appendix C.

Emissions from ships that are reported in Table 11 for future years assume that emission factors would be the same as for present engines. However, emissions of NOx and PM-10 from ships may be reduced in future years because of USEPA's promulgated emission standards for new marine diesel engines (December 29, 1999). These standards take effect for new engines manufactured starting in 2004, 2005, or 2007, depending on their size. Ships manufactured before these dates would be exempt from the new emission standards. As a result, it is difficult to determine precisely how effective the new emissions standards will be in reducing fleet-wide emissions in 2004 and 2020. EPA has also expressed concerns that it may be difficult to enforce the new regulations on vessels of international origin.

While most of the uses in the proposed project would generate traffic on a daily basis, the Cruise Terminal would generate trips on an episodic basis during both the Cruise-Season and the Off-Season. The Cruise Season generally runs for six months from May through October and project-generated traffic is highest during this season. Traffic during the cruise season is mainly due to the cruise ship activity at the Pier. Project-related traffic emissions are estimated for the worst case day during the cruise season when two ships are assumed to be berthed at the port and is based on 9,186 daily trips as estimated in the traffic section of this report. During the Off-Season, the project sponsor would rent out a portion of the Cruise Terminal for special events. Like the cruise ship activity, these special events may occur more than a few nights a week, but would not be expected to occur on a daily basis. Annual motor vehicle emissions were then estimated using average daily trip estimates for both the Cruise Season and Off-Season.

TABLE 11
NET INCREASE IN REGIONAL POLLUTANT EMISSIONS FOR 2004 AND 2020

ANALYSIS YEAR 2004	Maximum Daily Emissions (lbs./day				Significance
Pollutant	Area Sources	Motor Vehicles	Cruise Ships[c]	Total Emissions	Criteria (lbs./day)
Reactive Organic Gases (ROG)	17	120	56	193	80
Nitrogen Oxides (NOx)	11	174	1,153	1,338	80
Particulate Matter (PM-10)	<0.1	72	87[b]	159	80

ANALYSIS YEAR 2004	Annual Emissions (tons/year)				Significance
Pollutant	Area Sources	Motor Vehicles	Cruise Ships[c]	Total Emissions	Criteria (tons/year)
Reactive Organic Gases (ROG)	40.7	22.2	1.1	64.0	15
Nitrogen Oxides (NOx)	3.5	28.5	26.0	58.0	15
Particulate Matter (PM-10)	14.0	11.4	2.0[b]	27.4	15

ANALYSIS YEAR 2020	Maximum Daily Emissions (lbs./day)				Significance
Pollutant	Area Sources	Motor Vehicles	Cruise Ships[c]	Total Emissions	Criteria (lbs./day)
Reactive Organic Gases (ROG)	17	43	56	116	80
Nitrogen Oxides (NOx)	11	118	1,153	1,282	80
Particulate Matter (PM-10)	<0.1	69	87[b]	157	80

ANALYSIS YEAR 2020	Annual Emissions (tons/year)				Significance
Pollutant	Area Sources	Motor Vehicles	Cruise Ships[c]	Total Emissions	Criteria (tons/year)
Reactive Organic Gases (ROG)	40.7	7.9	2.4	51.0	15
Nitrogen Oxides (NOx)	3.5	20.6	57.6	81.7	15
Particulate Matter (PM-10)	14.0	12.4	4.5[b]	30.8	15

a Percentage of total daily Bay Area emissions in 2004 and 2020 based on CARB emissions inventories.
b PM-10 emissions from diesel burning cruise ships are considered TACs.
c Ship emissions were based on emission factors for different modes of ship operation for small, medium and large vessels contained in the Marine Vessels Emissions Inventory and Control Strategies Report (Acurex Environmental, 1999). The assumptions used in this analysis are provided in Appendix C.

SOURCE: Environmental Science Associates.

Similarly, ship emissions are based on the assumption that two home-berthed ships are at the port. Double occupancy at the terminal would represent a worst-case condition that would be expected to occur for about 10 percent of the calls or about five to ten times per year. Annual estimates are based on the increase in the number of cruise ship calls to the region due to the construction of the Cruise Terminal. Daily and annual emissions have been estimated for both analysis years 2004 and 2020.

Area source emissions are significantly higher in the winter months than during the summer months. Space heating is the single largest component of the area source emissions during the winter months. Wintertime area source emissions constitute as much as 96 percent of the annual ROG emissions, 70 percent of the annual NOx emissions and almost the entire annual particulate emissions generated by area sources shown in Table 11. However, as ozone is a summertime pollutant formed in the presence of strong sunlight, its precursors ROG and NOx are more of a concern during the summer months. As the project's ROG and NOx emissions from area sources are emitted mostly during the winter months, they would not contribute to the existing air quality violations.

As indicated in Table 11, daily emissions under the proposed project would substantially exceed the BAAQMD significance threshold of 80 lbs./day for reactive organic gases (ROG), nitrogen oxides (NOx), and inhalable particulates (PM-10) and thus would be considered significant. Emissions in future years will be reduced because of the phase-out of older, more polluting vehicles and ships. Replacement with cleaner burning vehicles and ships by 2020 would result in reduced emissions. Emissions from diesel engines on new vehicles built after 2004 will be reduced because of state and federal regulations. New regulations for marine vessels were recently proposed by EPA to reduce NOx and PM-10 emissions by about 90% for new engines built after 2007. However, because of past difficulty in enforcing such regulations on international vessels, EPA has expressed doubt that substantial emissions reductions from marine vessels would actually be realized in the next 10 years. Therefore, emissions may still be significant.

To reduce ozone precursor and particulate matter pollutant emissions, trip reduction measures recommended by the BAAQMD are included in this document (see Mitigation Measure E.2 in Chapter IV). In addition, the project sponsor would work with other maritime agencies to encourage cruise lines to consider the use of alternative fuels, more efficient engines, and other emerging technologies to minimize air emissions from cruise ships. Implementation of Mitigation Measure E.2 would reduce impacts of criteria air pollutant emissions, but not to a less-than-significant level, given the magnitude of forecast project emissions. Therefore, regional project-related impacts would be significant and unavoidable.

Local Pollutant Concentrations

Carbon Monoxide Concentrations

In addition to the regional contribution to the total pollution burden, project-related traffic may result in localized "hot spots" or areas with high concentrations of carbon monoxide concentrations around

stagnation points such as major intersections and heavily traveled and congested roadways. Project-related traffic could add more cars and trucks, as well as cause existing non-project traffic to travel at slower, more polluting travel speeds.

To evaluate "hot spot" potential, a microscale impact analysis was conducted adjacent to six representative intersections in the vicinity of the project area. It was assumed that if the relatively higher volumes of project-generated traffic at these intersections did not result in adverse impacts, impacts at other nearby intersections would experience similar or less substantial effects. For this analysis, local carbon monoxide concentrations were estimated using a protocol developed at U.C. Davis for analyzing project-level effects associated with transportation projects (Institute of Transportation Studies, 1997) and using the results of the traffic study prepared for this report. The estimates are shown in Table 12, which presents the one-hour CO exposure for existing conditions (2001) and future project operation in 2004 and 2020. Table 12 also shows the corresponding eight-hour exposure for these same collective scenarios. Significance of localized CO emissions from mobile sources is determined by modeling the ambient CO concentration under existing and future (with project) conditions and comparing the resulting one- and eight-hour concentrations to the respective state CO standards of 20 and 9 parts per million (ppm).

The U.C. Davis carbon monoxide protocol involves a screening-level analysis, which serves to identify which intersections under which scenarios require further, more refined analysis. With respect to the six intersections evaluated for this analysis, the screening-level analysis was sufficient to demonstrate that no exceedances would occur in the vicinities of the following intersections: The Embarcadero/Howard Street, Second Street/King Street, Main Street/Harrison Street and Main Street/Bryant Street. For the intersection at The Embarcadero/Bryant Street, the screening level analysis indicated the potential for an exceedance for existing conditions only, but the more refined analysis using the CALINE4 model[27] indicated that no exceedance would occur. At First Street/Harrison Street, the refined method was used for both existing and 2004 to show that no exceedances would occur.

This analysis indicates that the State and federal one-hour ambient standards for CO would not be violated at study intersections with implementation of the proposed project, assuming worst-case atmospheric conditions (during wintertime conditions when CO concentrations are typically their greatest of the year). Although traffic volumes would increase with the project in 2004 and 2020, modeling results indicate that CO concentrations would be reduced. This is due to attrition of older, high polluting vehicles, improvements in the overall automobile fleet, and improved fuel mixtures (as a result of on going State and federal emissions standards and programs for on-road motor vehicles); these changes are incorporated into emission factors used in the calculations.

In summary, based on the modeled concentrations shown in Table 12, the project would not result in exceedances of carbon monoxide standards, and therefore, the effect of the project on local carbon monoxide standards would be less than significant.

[27] A Gaussian line source model used to evaluate traffic emissions both at intersections and on roadways.

TABLE 12
ESTIMATED CARBON MONOXIDE CONCENTRATIONS AT SELECTED INTERSECTIONS IN PROJECT VICINITY

Intersection	Averaging Time (hours)	Concentrations (PPM)[a] Existing	2004 + project cruise season	2004 + project off season	2020 + project cruise season	2020 + project off season
Embarcadero / Howard Street	1	9.4	7.6	7.6	6.5	6.5
PM Peak Hour	8	7.9	6.5	6.5	5.6	5.6
Embarcadero / Bryant Street	1	5.8[b]	10.9	10.9	9.6	9.6
PM Peak Hour	8	5.4[b]	8.8	8.8	7.7	7.7
Second / King Streets	1	9.5	9.1	9.1	8.2	8.2
PM Peak Hour	8	7.9	7.5	7.5	6.8	6.8
Main / Harrison Streets	1	7.6	6.5	6.5	5.7	5.7
PM Peak Hour	8	6.6	5.7	5.7	5.1	5.1
First / Harrison Streets[b]	1	5.8	5.0	5.0	4.2	4.2
PM Peak Hour	8	5.4	4.7	4.7	4.0	4.0
Main / Bryant Streets	1	7.8	6.6	6.6	6.3	6.3
PM Peak Hour	8	6.8	5.8	5.8	5.5	5.5

[a] Concentrations relate to a location 10 meters from the edge of the roadways that form the intersection. The carbon monoxide analysis focuses on the evening (p.m.) peak-hour because the project's effects on traffic congestion and related carbon monoxide concentrations are greater during that period than during the morning (a.m.) peak hour. The UC Davis Transportation Project-Level Carbon Monoxide Protocol (Revised December 1997) was used to develop these estimates based on p.m. peak-hour traffic volumes prepared for this report. Carbon monoxide estimates shown above include background concentrations of 4.38 ppm, one-hour and eight-hour averages for existing conditions; 3.9 ppm, one-hour and eight-hour averages for 2004; and 3.48 ppm, one-hour and eight-hour averages for 2020.

[b] Concentrations were estimated using CALINE4 modeling as the UC Davis Screening Protocol indicated a potential for violation of the CO standard.

NOTE: The state one-hour average standard is 20 ppm; the state eight-hour average standard is 9 ppm.

SOURCE: Environmental Science Associates.

Toxic Air Contaminants

The project would not emit quantifiable amounts of toxic air contaminants other than diesel particulates. Diesel particulates are mainly emitted from ships with a very minimal contribution from on road heavy-duty vehicles. Due to the low vapor pressure of diesel fuel, evaporative emissions during storage and fuelling operations would not be an important concern. Based on the results of dispersion modeling conducted for the Southern Waterfront project SEIR, emissions from the Cruise Terminal project would

not exceed the diesel risk threshold of 10 in a million. As the risk from the proposed project's emissions were well below the significance thresholds, dispersion modeling was not conducted.

CUMULATIVE IMPACTS

According to the *BAAQMD CEQA Guidelines*, any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. Because the project would exceed the significance criteria of 80 pounds per day for ROG, NOx and PM-10 in both analysis years 2004 and 2020, and the annual threshold of 15 tons per year for ROG and NO_x in 2004 and for NOx and PM-10 in 2020, the project's cumulative impact on air quality of the region would be considered significant. Even with implementation of the trip reduction measures recommended by the BAAQMD included in Mitigation Measure E.2, the project would still result in a significant impact. It should be noted, however, that the project-specific significant and cumulative effects are largely a construct of the BAAQMD's analysis methodology, which is geared more to a single development project, rather than a series of project components analyzed together, as in this case. Also, the emissions estimates from ships do not take into account the new EPA regulations for ships built beyond 2004. Thus, the emissions estimated here should be considered a worst-case assumption.

Locally, emissions from project sources would be combined with emissions from other sources, primarily area traffic (local streets and freeways) from existing and future development in the greater project area and future ship activity at the Port. Although cumulative traffic volumes would increase by 2020, this increase would be partly offset by the reduction in emissions on a grams-per-mile basis. This is due to attrition of older, high polluting vehicles, improvements in the overall automobile fleet, and improved fuel mixtures (as a result of on-going State and federal emissions standards and programs for on-road motor vehicles). New EPA regulations require that, beginning in 2007, new ships reduce their NOx emissions and PM-10 emissions by 90%. Although there would probably be older ships visiting the Port in 2020, a considerable portion of the fleet would be subject to the new EPA regulations. Replacement with cleaner burning vehicles and ships by 2020 could result in reduced emissions.

However, even with the reduced emissions, the project is likely to result in a significant cumulative impact on regional air quality. This would be a significant unavoidable impact that cannot be mitigated.

REFERENCES – Air Quality

Acurex Environmental Corporation, *Marine Vessel Emissions Inventory and Control Strategies,* September 1999.

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Institute of Transportation Studies, University of California, Davis, *Transportation Project-Level Carbon Monoxide Protocol*, December 1997.

U.S. Environmental Protection Agency, Control of Emissions of Air Pollution from New Marine Compression-Ignition Engines at or Above 37 kW; Final Rule, Federal Register, December 29, 1999.

F. SHADOW

Because the proposed Brannan Street Wharf project would involve only the removal of piers and the creation of open space, and not the construction of new permanent structures, the analysis in this section pertains only to the Cruise Terminal project. As such, throughout this section, the terms "project" and "project site" refer only to the Cruise Terminal project and its two components on Pier 30-32 and the seawall lot. The Brannan Street Wharf project site is included on the shadow diagrams[28] provided in this section and a brief discussion of the potential effects of the Cruise Terminal project and surrounding existing development on the Brannan Street Wharf project is included below.

SETTING

Open space in the vicinity of the Cruise Terminal and Brannan Street Wharf project sites includes South Beach Park, a small green open space located where King Street transitions into The Embarcadero, and South Park, an oval green space located three blocks to the west between Second and Third Streets and Brannan and Bryant Streets. Herb Caen Way, a 3.2 mile-long linear pedestrian promenade, extends along The Embarcadero from Fisherman's Wharf southward to China Basin and provides open space along the waterfront. A new public open space to be named Rincon Park is planned for construction along the waterfront on the eastern side of The Embarcadero between Howard and Harrison Streets, one block north of the Bay Bridge. Other open spaces in the surrounding area are typically in the form of privately owned open space, such as inner courtyards located within the residential development at Bayside Village and the Delancey Street residential project, and small plazas and parks at the corners of The Embarcadero and Bryant, Brannan, and Townsend Streets.

SUNLIGHT ORDINANCE

Section 295 of the Planning Code, the Sunlight Ordinance, was adopted through voter approval of Proposition K in November 1994 to protect certain public open spaces from shadowing by new structures. Section 295 prohibits the issuance of building permits for structures or additions to structures greater than 40 feet in height that would shade property under the jurisdiction of or designated to be acquired by the Recreation and Park Commission, during the period from one hour after sunrise to one hour before sunset, unless the Planning Commission, in consultation with the and Recreation and Park Commission, determines that such shade would have an insignificant impact on the use of such property. There are two public parks in the project vicinity, South Beach Park and South Park, that have the

[28] Only the portion of the Brannan Street Wharf project site that would be located between Pier 28 and Pier 30-32 is shown on these diagrams. However, no portion of the Brannan Street Wharf project site not shown on these diagrams would be impacted adversely by either existing shadow conditions or shadow effects that would be associated with the proposed Cruise Terminal project.

potential to be shaded by the project. However, South Park is the only park that is under the jurisdiction of the Recreation and Park Commission and, therefore, is protected by Section 295.[29]

IMPACTS

SIGNIFICANCE CRITERIA

Planning Code Section 295 generally prohibits issuance of permits for new buildings exceeding 40 feet in height that would cause significant new shadow on open space under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year. A project would have a significant effect if it would result in substantial new shadow on public open space under the jurisdiction of the Recreation and Park Commission during these hours.

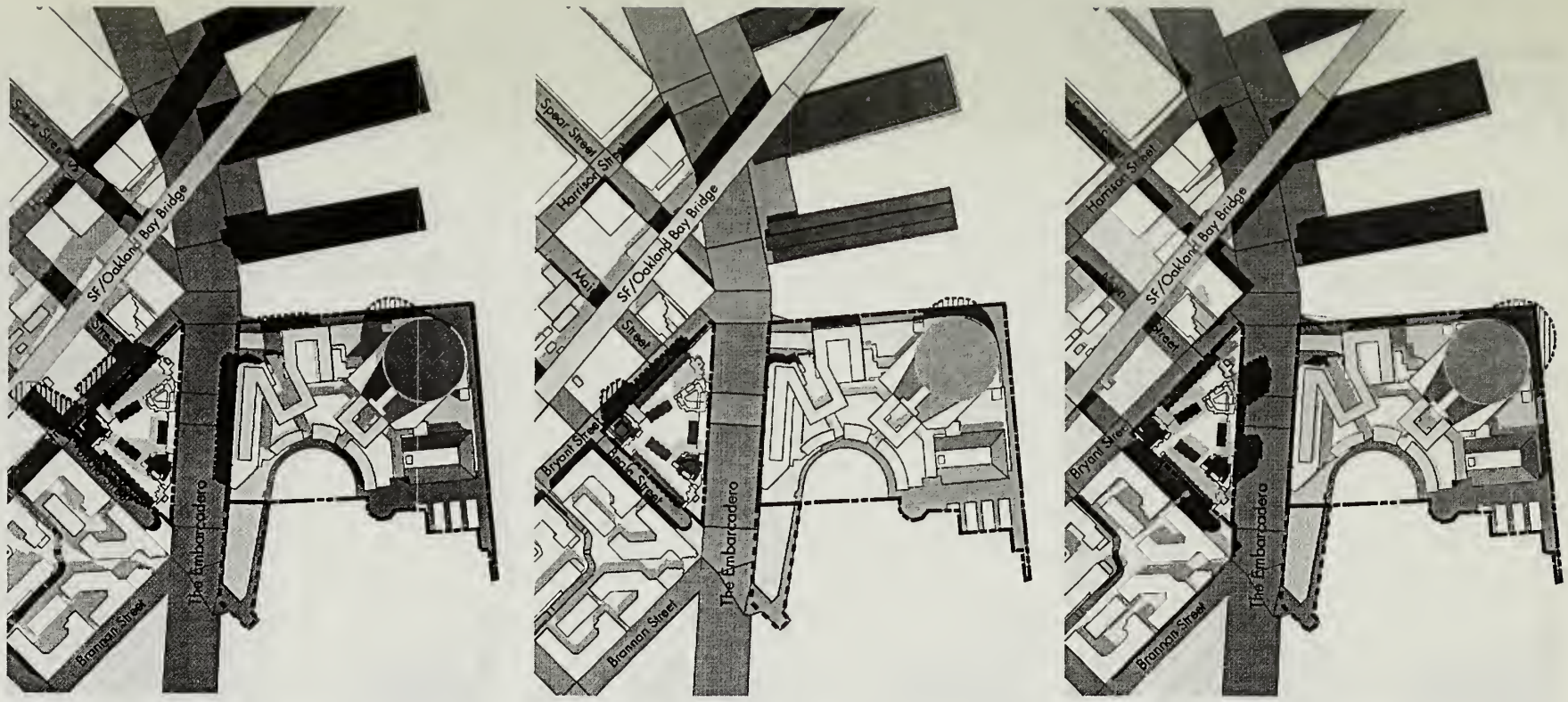
IMPACT ANALYSIS

As determined by a shadow fan analysis conducted by the Planning Department, the project would not cast new shadow on any open space under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset. Because South Park and South Beach Park are located at a considerable distance from the proposed project site and therefore no new shadow would be cast on either of these spaces as a result of the proposed project, this discussion will focus on the potential localized shadow effects attributable to the project on the blocks surrounding the project site (Pier 30-32 and the Seawall Lot 330).

Figures 31 through 34 illustrate project shadowing for representative times of day during the four seasons: in December on the winter solstice, when the sun is at its lowest and shadows are at their longest, and in June on the summer solstice, when the sun is at its highest and shadows are at their shortest. Shadows are also shown at the spring equinox, when shadows are midway through a period of shortening, and at the fall equinox, when shadows are midway through a period of lengthening. Shadows on any other day of the year would be within the range of shadows presented in Figures 31 through 34.

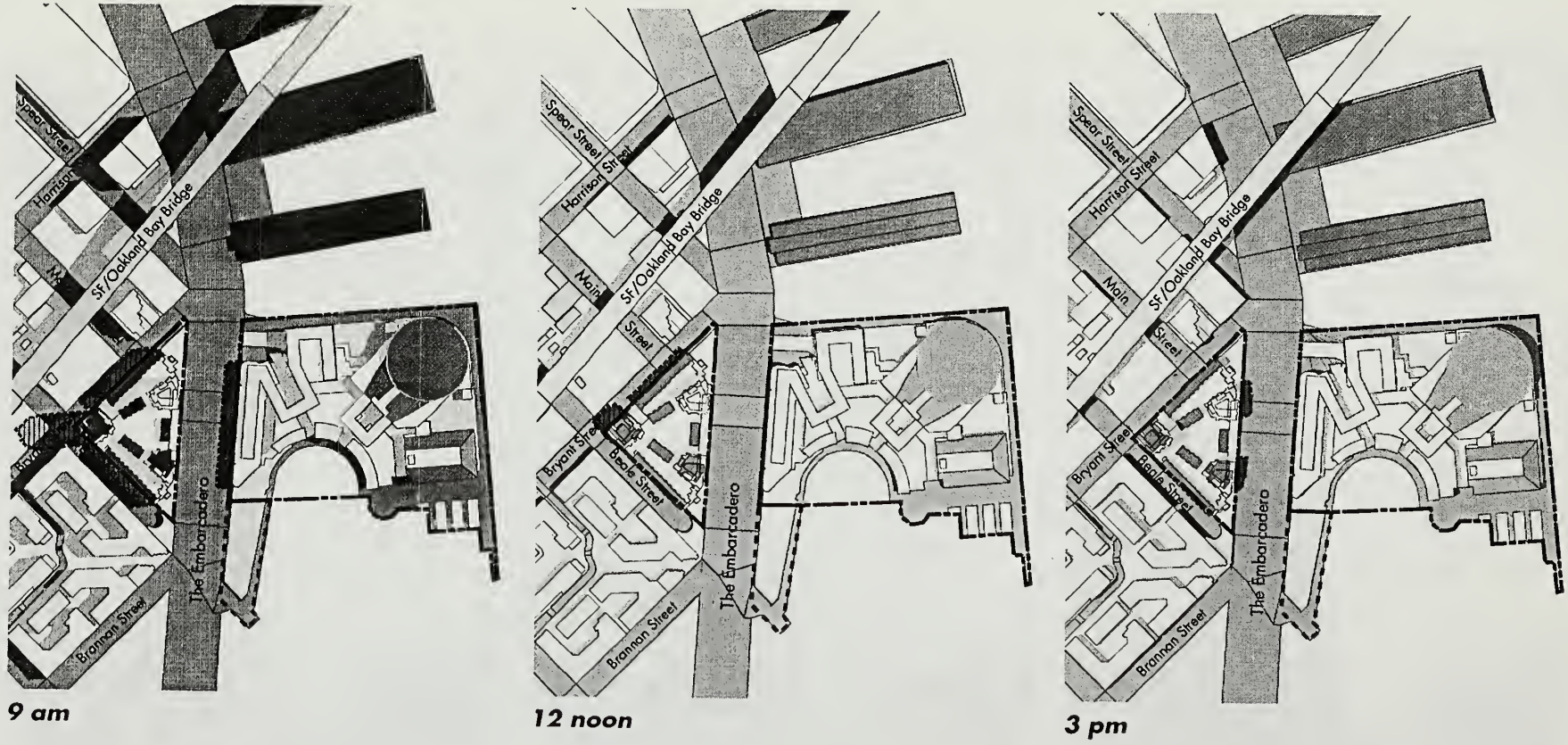
Figure 31 shows the maximum extent of new project shadow during the spring. During early morning hours, shadow from the proposed project would extend along the center of Beale Street towards Bayside Village, but would not actually reach the housing development. The shadow cast by the proposed residential tower at the southwest corner (located at the intersection of Beale and Bryant Streets) of the seawall lot would extend across the intersection to under the span of the Bay Bridge. At this time of the morning, when the sun is low on the horizon and shadows are long, shadow from the proposed project would extend about 100 feet from the project site. In the afternoon hours, net new shadow effects would be minimal. The proposed seawall lot residential structures fronting Bryant Street would cast shadows

[29] South Beach Park is under the jurisdiction of the Redevelopment Agency and the Port, not the Recreation and Park Commission.



SOURCE: Environmental Science Associates

Figure 31
March 21 Shadow Patterns



SOURCE: Environmental Science Associates

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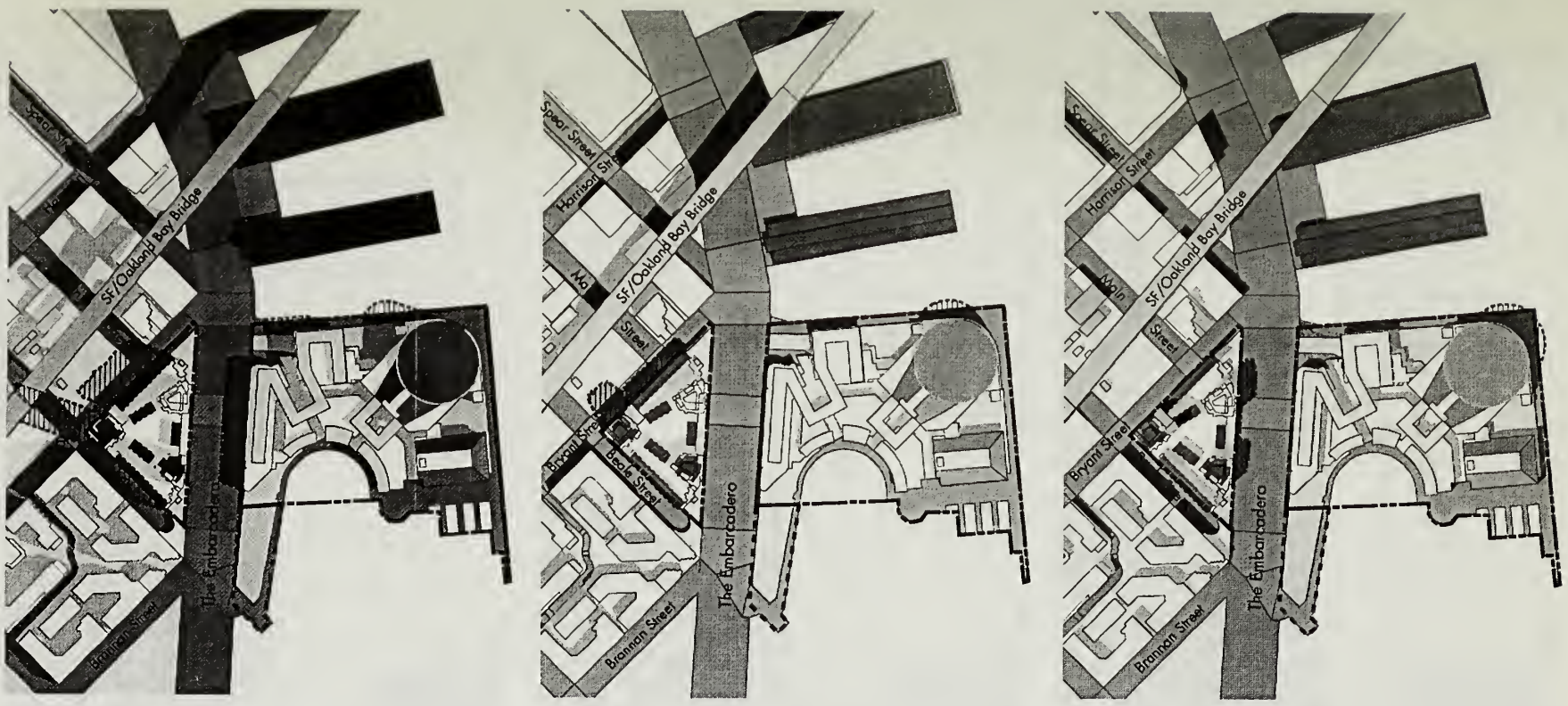
Figure 32
June 21 Shadow Patterns



SOURCE: Environmental Science Associates

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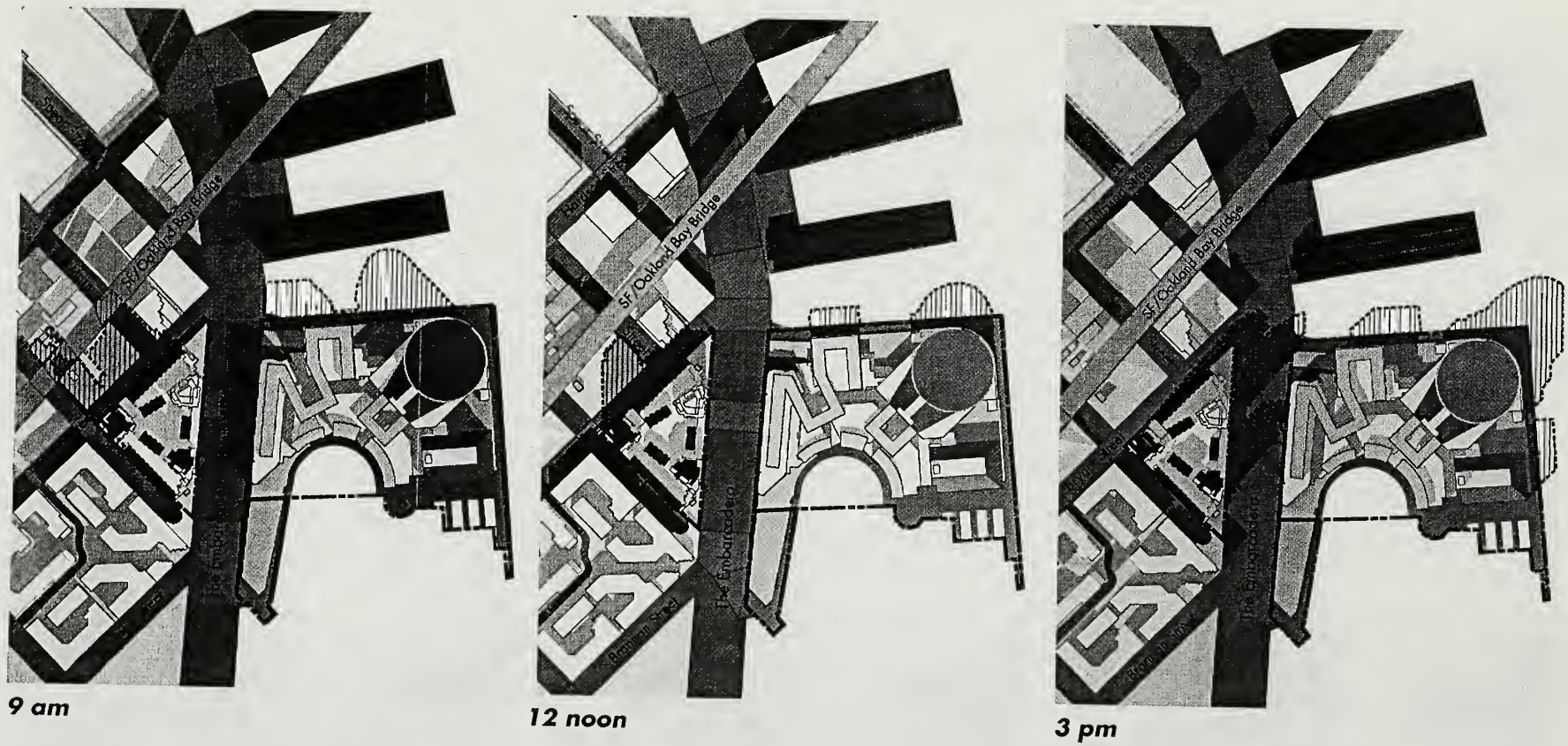
Figure 33
September 21 Shadow Patterns



SOURCE: Environmental Science Associates

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Figure 34
December 21 Shadow Patterns

onto Bryant Street and partially on the lot immediately to the south of the Bay Bridge span at the intersection of Bryant and Main Streets during midday. In the late afternoon, the proposed seawall lot residential towers fronting The Embarcadero would cast shadows onto a small portion of The Embarcadero. New shadows caused by the cruise ship terminal would be minimal and in the afternoon hours would be cast onto the water.

Figure 32 illustrates the shadow effects that would be caused by the project on the summer solstice. As is the case in the spring during the early morning hours, the proposed 17-story residential tower at the southwest corner of the seawall lot would cast a shadow across the intersection of Bryant and Beale Streets toward the span of the Bay Bridge. Beale Street would also be shadowed until the midday. As in spring, the shadows cast on the project's Beale Street frontage would not extend beyond into the Bayside Village residential development. During the midday hours, minimal shading would occur along Bryant Street, and in the late afternoon, there would also be a limited amount of shadow cast along The Embarcadero. During the late afternoon, the proposed cruise terminal on Pier 30-32 would cast some shadows along the eastern berthing apron, as well as in small disparate areas within the pedestrian plazas on the pier, but would remain within the project site boundaries.

Figure 33 depicts the shading effects during the fall equinox. At this time of the year, the position of the sun at a lower point on the horizon causes shadows to be longer. During the morning hours in the fall, net new shadow caused by the project would extend in a westward direction. The residential tower situated on the northwest corner of the project site would cast a shadow that would reach 120 feet to a point slightly past the span of the Bay Bridge. As in the spring and summer, Beale Street would remain shaded for a considerable portion of the morning, and net new shadow would be cast on Bryant and parts of Main Street. The proposed structures fronting The Embarcadero on Pier 30-32 would also add new shadow to The Embarcadero during the morning hours. Some new shading would also occur over the water. By late afternoon, new shadows would be cast in a northeasterly direction, with the proposed southeast and northeast seawall lot residential towers adding small areas of shade to The Embarcadero sidewalks.

Figure 34 illustrates the new shadow caused by the project during the winter solstice, when the sun has reached its extreme point of its northward motion in the sky, and the shadows cast are the longest. During the morning hours, the shadow cast by the project would extend to its furthest length northwestward during the winter season. The shadow cast by the residential tower located on the northwest corner of the seawall lot would extend beyond the span of the Bay Bridge to the Portside Condominium complex located on Beale Street. The lot fronting Beale Street immediately across from the project site would be shaded for a good portion of the morning until the afternoon hours. The structures fronting The Embarcadero would contribute new shadow onto the Embarcadero during the morning as well, covering about half the width of the street until at least midday. During the late afternoon hours, shadows cast by the project would extend to their maximum length northeastward. The proposed residential development on the seawall lot would shade most of The Embarcadero along the site in the late afternoon. The proposed cruise terminal would also cast long shadows over the Bay.

While the proposed project would add minimal new shadows to the project vicinity, the new shading caused by the project would not affect open spaces protected by Section 295 of the Planning Code such as South Park, other public open spaces such as South Beach Park, privately-owned publicly accessible open spaces, or private open spaces such as the one located within the inner courtyard at Bayside Village. Therefore, shadow impacts associated with the Cruise Terminal project would be considered less than significant.

Further, as shown in the shadow diagrams, because of its location to the south and east of the two components of the Cruise Terminal project site, the proposed Brannan Street Wharf park would not be affected by shadows caused by the Cruise Terminal project. Similarly, the Brannan Street Wharf open space would not be affected by shadows of existing nearby structures. As such, in addition to itself having a less than significant shadow effects, conditions on the Brannan Street Wharf project site would not be substantially affected by the proposed Cruise Terminal project.

G. WIND[30]

Because the proposed Brannan Street Wharf project would involve only the removal of piers and the creation of open space, and not the construction of new permanent structures, the wind analysis summarized in this section pertains only to the Cruise Terminal project. As such, throughout this section, the terms "project" and "project site" refer only to the Cruise Terminal project and its two components on Pier 30-32 and the seawall lot. Two wind points were analyzed on the site of the proposed Brannan Street Wharf project so that the effects of the proposed Cruise Terminal project on the Brannan Street Wharf open space could be assessed. A discussion of those effects is included below.

SETTING

Tall buildings and structures can strongly affect the wind environment for pedestrians. Groups of structures tend to slow the winds near ground level, due to the friction and drag of the structures themselves on winds. Buildings that are much taller than their surrounding buildings intercept and redirect winds that might otherwise flow overhead, and bring them down the vertical face of the building to ground level, where they create ground-level wind and turbulence. These redirected winds can be relatively strong and turbulent, and can be incompatible with the intended uses of nearby ground-level spaces. In addition, building designs that present tall, flat surfaces square to strong winds can create ground-level winds that can prove to be hazardous to pedestrians in the vicinity.

REGULATORY FRAMEWORK

The City Planning Code specifically outlines wind criteria for the Downtown Commercial District, the Rincon Hill, Van Ness Avenue, and South of Market Areas in Planning Code Sections 148, 249.1(a)(3), 243(c)(9), 263.11(c), respectively. The project site is not subject to any of these City Planning Code sections. However, due to the project's location on the waterfront and inclusion of buildings (on the seawall lot) of over 100-feet tall, the possibility exists that the project would cause significant wind effects. The purpose of the wind tunnel studies is to determine design-specific impacts based on the City's hazard criterion and to provide a basis for design modifications to mitigate these impacts. The proposed project would be required to meet this standard or to mitigate exceedances, should they occur, through building design.

City Planning Code Section 148, Reduction of Ground-Level Wind Currents in C-3 (Downtown Commercial) Districts, establishes a hazard criterion and also the methodology for wind tunnel testing, analysis and evaluation of wind conditions, used to prepare all environmental impact reports in San Francisco, regardless of a project's location. As such, even though the project site is located outside the Downtown Commercial District, the provisions of Section 148 would be applicable to the proposed project for the purposes of environmental analysis. Specifically, the exceedance of the hazard criterion

[30] This analysis is summarized from a Technical Memorandum, *Potential Wind Conditions, Proposed Bryant Street Pier Project*, Environmental Science Associates, May 22, 2001.

under Section 148 would be considered a significant environmental impact that requires mitigation, while the exceedance of either comfort criterion would be a less-than-significant environmental impact that would not require mitigation.

Planning Code Section 148 requires buildings to be shaped so as not to cause ground-level equivalent wind currents to exceed 11 miles per hour (mph) (pedestrian comfort criterion) in substantial pedestrian use areas more than 10 percent of the time, and 7 mph (seating comfort criterion) in public seating areas. Similarly, the Code requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph as averaged for a single full hour of the year, or 0.011416 percent of the time (hazard criterion). The comfort criteria are based on wind speeds that are measured for one minute and averaged. In contrast, the hazard criterion is based on wind speeds that are measured for one hour and averaged; when stated on the same basis as the comfort criteria wind speeds, the hazard criterion wind speed is a one-minute average of 36 mph. The wind ordinance is defined in terms of equivalent wind speed. This term denotes an average wind speed (mean velocity), adjusted to include the level of gustiness and turbulence.

WIND TEST POINT LOCATIONS

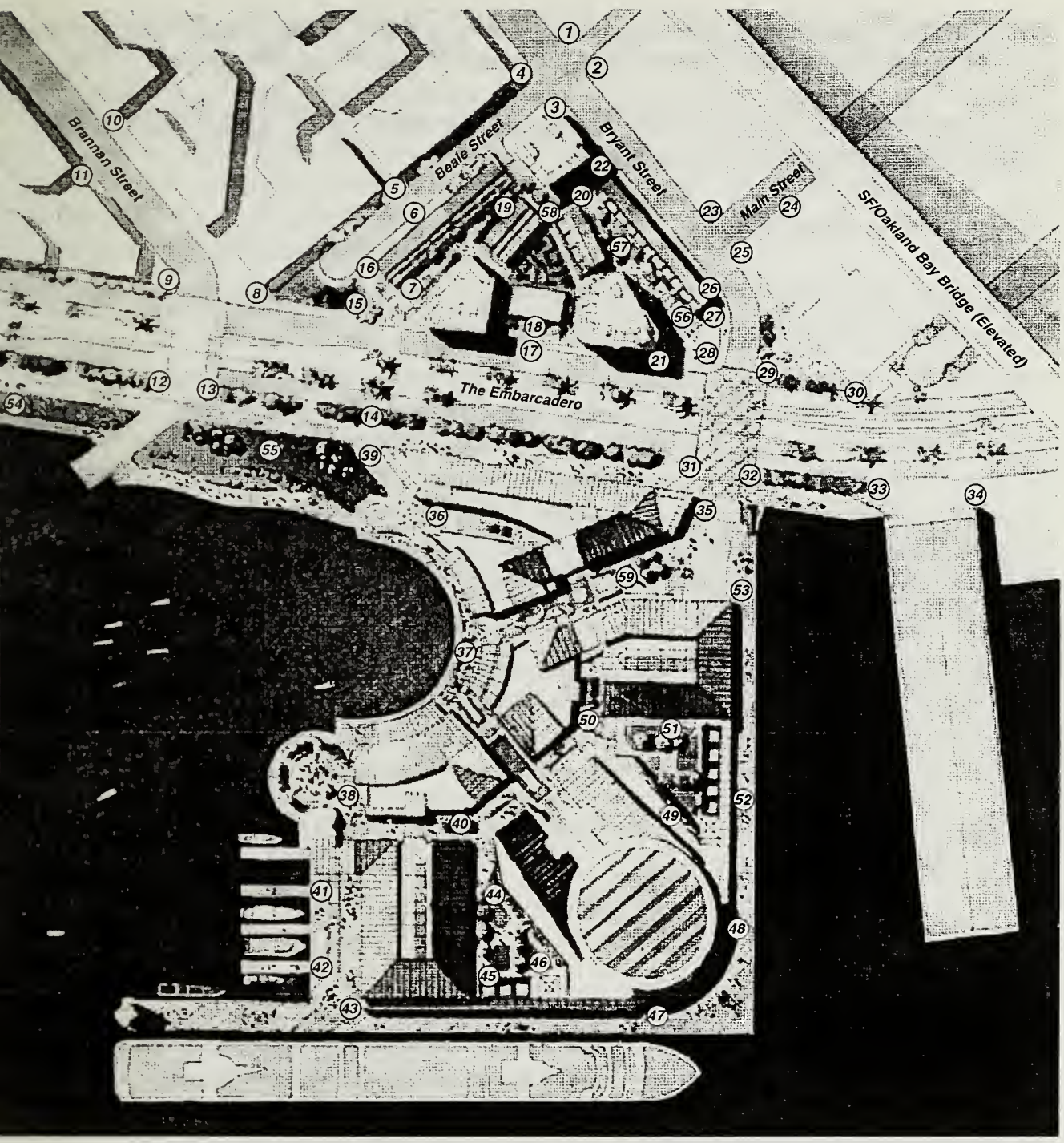
Fifty-nine test locations were studied for the project test scenario for the four prevailing wind directions: northwest, west-northwest, west and southwest, that are the most common in San Francisco, and are therefore the most representative for the evaluation of the proposed project. Twenty-one test locations were used to characterize existing wind conditions on the mostly vacant project site. In general, the testing focuses on locations within the project site and on the sidewalks of Bryant, Brannan and Beale Streets and The Embarcadero (see Figure 35).[31]

A total of 17 test points (#3, 6, 7, 15-22, 26-28, 56-58) are located in the interior project spaces and adjacent to the buildings on the seawall lot, with five points (#3, 22, 26-28) on the sidewalks of Bryant Street, three points (#3, 6, 16) on Beale Street sidewalks, and three points (#5, 17, 21) on The Embarcadero. Seven points (#7, 18-20, 56-58) are located in ground-level open spaces at the corners of the seawall lot and in private, podium-level open spaces interior to the seawall lot.

Twenty-four points (#33-55, 59) are located in spaces on or adjacent to Pier 30-32, with two points (#35, 39) in plazas adjacent to The Embarcadero Promenade, two points (#54, 55) in the Brannan Street Wharf open space, three points (#48, 52, 53) along the north apron of the pier, two points (#43, 47) along the east apron of the pier, four points (#37, 38, 41, 42) along the south docks of the pier, and nine points (#36, 40, 44-46, 49-51, 59) on plazas, walkways, and open spaces interior to the pier development.

Fifteen points (#8, 9, 12-15, 17, 21, 28-34) are located on The Embarcadero from Pier 28 to Brannan Street, with 8 points (#8, 9, 15, 17, 21, 28-30) on the west side and 7 points (#12-14, 31-34) on the east.

[31] For convenience, local north-south runs along Beale Street and east-west runs along Bryant Street. Wind directions will refer to true compass directions.



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SOURCE: SOM; Environmental Science Associates

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Figure 35
Wind Test Point Locations

Fifteen points (#1-4, 22, 23, 25-33) are located on Bryant Street from The Embarcadero to Beale Street, with 8 points (#1, 2, 23, 25, 29, 30, 32, 33) on the north side and 7 points (#3, 4, 22, 26-28, 31) on the south. Nine points are located on the west side of Beale and five points (#2, 3, 6, 15, 16) on the east side of the street. Seven points (#8-14) are located on Brannan Street. Four points (#23-26) are located along Main Street from the Bay Bridge to Bryant Street.

EXISTING WIND CONDITIONS

The existing setting consists of the existing buildings in the site vicinity, including The Brannan, which consists of three residential towers, and is now under construction.

The existing wind conditions are moderately windy; the average wind speed for all points measured is just over 10 mph. Twelve of these locations meet the Planning Code's pedestrian-comfort criterion value of 11 mph. The highest wind speeds in the vicinity occur at two points on the surface of Pier 30-32, at 14 and 16 mph. Existing wind speeds were measured at two locations on both the seawall lot and pier. The 12 mph speeds measured at the seawall lot represent wind speeds over most of the vacant site, so wind speeds there should exceed the pedestrian-comfort criterion. Wind speeds exceeding 14 mph on Pier 30-32 similarly represent wind speeds over the entire vacant pier, so existing wind speeds there should exceed the pedestrian-comfort criterion.

Existing wind speeds on the proposed Brannan Street Wharf project site are moderately windy; wind speeds range from 10 mph (#54) to 11 mph (#55). Directly across the street on the west side of The Embarcadero, wind speeds range from 9 mph (#12) to 10 mph (#13). All four of the test points near the Brannan Street Wharf project site meet the Planning Code's pedestrian-comfort criterion of 11 mph.

The Planning Code's wind hazard criterion is currently not exceeded at any of the tested locations in the project vicinity.

IMPACTS

SIGNIFICANCE CRITERIA

A project would normally have a significant impact if it would cause the 26-miles-per-hour wind hazard criterion established by Planning Code Section 148 to be exceeded for more than one hour per year. A project that would cause exceedances of the comfort criteria, but not the wind hazard criterion, would not be considered to have a significant impact.

IMPACT ANALYSIS

With the proposed project, wind conditions would be considered moderately windy; the average wind speed for all 59 test points would be just over 9 mph, a decrease of about 1 mph from the existing average. Wind speeds in pedestrian areas would range from 4 mph to 16 mph. Wind speeds of 14 mph or more

would occur at two locations (#20, 48). Fifty three of the 59 locations would meet the Planning Code's pedestrian-comfort criterion value of 11 mph, while 6 locations would not (#20, 26, 41, 42, 48, 58).

Comparing only to the 20 points measured for existing conditions, the project would eliminate 7 exceedances (#59, 40, 48, 2, 9, 1, 4) and add no new exceedances, while one existing exceedance (#48) would continue. Compared to existing conditions, the project would increase wind speeds at four locations (#10, 29, 12, 54), leave wind speeds unchanged at six locations (#5, 24, 25, 23, 13, 11), and decrease wind speeds at 10 locations (#40, 59, 18, 4, 30, 8, 34, 2, 9, 1).

Under project conditions, the highest wind speeds would occur at one location (#20) on the podium of the seawall lot near the base of the tower at Beale and Bryant Streets, where the wind speed would be 16 mph, and at one point (#48) on the north apron of the pier, where the wind speed would be 15 mph. With the project, the Planning Code's wind hazard criterion would not be exceeded at any of the locations tested. As such, the proposed Cruise Terminal would have a less than significant effect on wind conditions.

With the project, wind speeds on the proposed Brannan Street Wharf project site would continue to be moderately windy; wind speeds would range from 10 mph (#54) to 11 mph (#55). Across the street from the Wharf site, on the west side of The Embarcadero, wind speeds would be 10 mph at both test locations (#12, 13). All four test points at or near the proposed Wharf open space would meet the Planning Code's pedestrian-comfort criterion of 11 mph. As such, in addition to itself having a less than significant effect on wind conditions, wind conditions on the Brannan Street Wharf project site would not be substantially affected by the proposed Cruise Terminal project.

H. HAZARDOUS MATERIALS

SETTING

This section focuses on hazardous materials issues identified at the Cruise Terminal and Brannan Street Wharf project sites. These issues were evaluated for both the Seawall Lot 330 and Pier 30-32 portions of the Cruise Terminal project site by a Phase I Environmental Site Assessment (February, 2001) conducted by Subsurface Consultants, Inc. (SCI).[32] A Phase I has not been prepared for the Brannan Street Wharf project site. This section discusses historical site uses, potential sources of hazardous materials, potential soil and groundwater contamination, and potential contamination associated with pier structural materials.

HISTORICAL USES

On the Cruise Terminal project site, Seawall Lot 330 was originally developed in the late 1800s and used for docking of merchant ships at the Spear, Main, and Beale Street Wharves, which extended southeast off of Bryant Street (1887 Sanborn Map). Besides ship docking, businesses located at Seawall Lot 330 included the Oregon Improvement Store and freight/general storage facilities at the Beale Street Wharf. Details regarding uses after the 1906 earthquake to about 1935 are unknown due to lack of Sanborn Fire Insurance Maps, aerial photography, and building permit coverage. The Embarcadero was constructed along the east side of Seawall Lot 330 sometime before 1913, and train tracks were built along The Embarcadero and turned northwest onto Seawall Lot 330. Heavy usage of the site as a railroad boxcar yard lasted from as early as 1913 until the late 1960s or early 1970s. During the late 1970s, the seawall lot was generally inactive, except for a rectangular area of the west corner, at the intersection of Bryant and Beale Streets, which appeared to be used as a storage area and/or a contractor's yard. By 1979, use of the site as a vehicle parking area increased. Prior to 1989, the train tracks at Seawall Lot 330 were removed, and by 1993, the site was completely paved over at it appears today, being used as a parking lot and occasional location for special event staging. Seawall Lot 330 is bounded by Bryant Street, Beale Street, and the Embarcadero.

Piers 30 and 32 were constructed separately after the 1906 earthquake. Large warehouses on the piers were first constructed before 1935. The two piers were combined by bridging prior to 1955. The building currently occupied by Red's Java House was apparently first constructed at the foot of Pier 30 as early as 1923 and housed Franco's Lunch restaurant from 1955 until 1974. Prior to 1985, the warehouses on what is now Pier 30-32 were destroyed by fire and removed, and the site has been used for automobile parking and special event staging since at least the early 1990s.

On the Brannan Street Wharf project site, former Pier 34 and Pier 36 were also constructed following the 1906 earthquake. Large warehouses constructed later have since been removed. Pier 34, condemned and

[32] Information regarding Seawall Lot 330 and Pier 30-32 used in this report was derived from the Draft Phase I report prepared by Subsurface Consultants, Inc. dated February 21, 2001.

demolished earlier this year, was vacant for many years. A shed remains on Pier 36, and the pier is currently used for storage and bus parking.

Subsurface Conditions

Seawall Lot 330 is underlain by approximately 15 to 20 feet of fill that is likely composed of building debris from the 1906 earthquake and dredge spoils from the Bay. The fill is underlain by approximately 20 feet of young Bay Mud, and depth to bedrock at the site is approximately 100 feet below ground surface (bgs). Groundwater is estimated to occur at a depth of 5 feet bgs, based on a site elevation of 5 feet above mean sea level, and the proximity of San Francisco Bay.

Pier 30-32 and Pier 36 are constructed on pilings over the water, although the marginal wharf portions of each pier (located between The Embarcadero and the piers) are concrete encased timber and steel piled structures with a concrete deck.

Sources of Hazardous Materials

Hazardous materials are substances with certain chemical or physical properties that may pose a present or future hazard to human health or the environment when improperly handled, stored, disposed or otherwise managed. The Cruise Terminal and Brannan Street Wharf project sites contain potential sources of hazardous materials associated with fill materials, former industrial activity, materials in the existing piers, construction materials, and future project operations.

No signs of hazardous material concerns, such as hazardous material containers, above-ground storage tanks (ASTs), discolored soil or concrete, poor drainage, transformers, capacitors, or other potentially hazardous substances are located on Seawall Lot 330.

Information regarding Piers 30-32 and 36 underwater conditions are discussed in the Hydrology and Water Quality section of this report, Chapter III.D.

Surrounding Properties

Neighboring properties are primarily comprised of residential buildings, municipal and light industrial facilities, and commercial businesses. Adjacent properties include:

- The Portside Condominiums (38 Bryant Street) and a 3-story office building (2 Bryant Street), bordering the site to the northwest between Spear and Main Streets;
- A Caltrans maintenance yard (434 Main Street) and the Bay Bridge pump station, which border the site to the northwest between Main and Beale Streets;
- A small parking lot, located across the intersection of Bryant and Beale Streets west of Seawall Lot 330; and

- The Bayside Village apartment complex (500-570 Beale Street), which borders the site to the southwest.

There were no potential hazardous materials concerns at these nearby properties except for a diesel AST (approximately 5,000 gallon capacity) and fuel pumping station located approximately 120 feet northwest of the site at the Caltrans maintenance yard (434 Main Street). The AST and pump appeared to be relatively new and in good working condition. SCI reported that no surface staining associated with fuel leaks or spillage were observed.

Underground Storage Tanks

The environmental site assessment prepared for the Cruise Terminal project site indicated no historical or current evidence of underground storage tanks (USTs) at Seawall Lot 330. A gasoline station was located at the corner of Beale Street and The Embarcadero from approximately 1948 to 1958. Currently, the property is occupied by the Bayside Village apartment complex. Files at the San Francisco Department of Public Health (SFDPH) indicated that five (5) USTs associated with the former gasoline station have been removed, and that no further soil or groundwater remedial action was required. On this basis, it is unlikely that petroleum hydrocarbons associated with the former gasoline station remain at concentrations that would pose a human or environmental hazard at the project site. Neither of the proposed projects include the installation or use of USTs.

Soil Contamination

Seawall Lot 330 is underlain by fill materials possibly containing debris from the 1906 earthquake and fire. It is likely that these fill materials and debris contain concentrations of various chemicals, such as petroleum hydrocarbons, lead and other metals, and polycyclic aromatic hydrocarbons (PAHs). PAHs are commonly found in soils along the San Francisco Bay fringe where historic land reclamation has occurred. A previous soil investigation conducted approximately 400 feet south of the seawall lot along The Embarcadero reported soil affected by elevated concentrations of total and/or soluble lead.

In addition, the seawall lot was used as a railroad boxcar yard from as early as 1913 until the late 1960s or early 1970s. Chemicals of concern associated with railroad operations include metals, petroleum hydrocarbons, polychlorinated biphenyls (PCBs), and volatile and semi-volatile organic hydrocarbons. No indications or evidence of suspected or documented releases of chemicals from boxcars or storage tank cars were reported in the Phase I assessment.

Petroleum Hydrocarbons

Gasoline contains more than 200 petroleum-derived and other constituents (RWQCB, 1989). Analysis for gasoline in a soil or groundwater matrix is commonly limited to detection of benzene, toluene, ethylbenzene, xylenes (BTEX), and Total Petroleum Hydrocarbons as gasoline (TPHg). These four constituents, which are readily measurable with conventional analytical methods, can pose a serious

threat to human health, have the potential to rapidly move through soil and groundwater, and their vapors are flammable and explosive.

Presently, there are no regulatory remediation ("cleanup") levels for petroleum hydrocarbons in soils. The local regulatory oversight agency usually determines the soil remediation goals on a case-by-case basis, depending on the particular conditions on the site. Considerations for remediation goals include the type of contaminant, future human health risks, potential for the contaminant to reach groundwater, extent of impacted soil and near-vicinity receptors.

Lead in Soils

The presence of lead in soils above natural background levels can be a common occurrence in areas that were created by fill and in former industrial areas. Depending on the dose, overexposure to lead can result in chronic and acute health effects manifested by seizures, paralysis, convulsions and possibly death (Meyer, 1990). Possible sources of lead include lead additives in gasoline, lead-based exterior and interior paint, or former metalworking operations. Lead concentrations can also be elevated in fill materials similar to those that underlie the project site because fill can originate from building and industrial rubble containing or affected by sources of lead such as piping, coatings and other construction materials. The California Code of Regulations, Title 22, considers waste soil with lead hazardous if it exceeds a total concentration of 1,000 parts per million (ppm) and a soluble concentration of 5 ppm.[33] On April 7, 2001, SCI conducted soil sampling on Seawall Lot 330 that included five borings (to depths of 21.5 to 31.5 feet) and testing of 15 separate soil samples. Subsequent analysis of the collected samples indicated elevated soluble lead concentrations existing in on-site subsurface fill material exceed 5 ppm (SCI, 2001b). Elevated lead concentrations were also reported in soil samples collected within approximately 400 feet south of the seawall lot.

Polycyclic Aromatic Hydrocarbons

PAHs area a group of organic chemicals found in a wide variety of materials, including crude oil, asphalt, and creosote. Most refined petroleum products also contain PAHs, either retained from the original crude or produced during the refining process. PAHs are also produced as combustion products and therefore occur in many burned or charred materials. Chemically, PAHs have high to very high molecular weights, have low solubility in water, and tend to adhere to soil particles. These factors result in generally high mobility of PAHs in the environment. Elevated concentrations of PAHs may occur in soils or offshore sediment due to the presence of historic fill and the variety of previous uses in the area.

Polychlorinated Biphenyls

PCB-containing fluids can withstand high temperatures and were commonly used as insulating materials in electrical transformers or added to heat-transfer and hydraulic systems. In the 1960s, PCBs were

[33] Analysis of the soluble concentration is performed to assess the waste's ability to "leach" lead from a landfill environment into the underlying groundwater.

determined to cause adverse health effects in humans and their use was discontinued. PCBs are very stable and persist in the environment for extended periods of time (Meyer, 1990).

REGULATORY FRAMEWORK

Hazardous materials are defined in a number of ways. Under California law, a hazardous material is defined as, "...any material that, because of its quantity, concentration, or physical or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released." Hazardous materials include, but are not limited to, "...hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or environment (Cal. Health & Safety Code §25501(o))."

Under federal and California law, a hazardous material is a "waste" when it is discarded (Cal. Health & Safety Code §25124). Discarded materials include those which: (1) are relinquished (i.e., disposed of, burned or incinerated, or accumulated, stored or treated before being relinquished); (2) are recycled; (3) pose a threat to public health or the environment (and are inadequately or improperly labeled, or packaged in a damaged or deteriorating container); or (4) are considered inherently waste-like according to regulations adopted by the Department of Toxic Substances Control. Discarded materials are considered hazardous waste if the material exhibits the characteristics of a hazardous waste, or is listed as a hazardous waste and has not otherwise been excluded (Title 22, Cal. Code of Regulations §66261.3).

Federal

The U.S. Environmental Protection Agency (U.S. EPA) is the lead agency responsible for enforcing federal regulations that affect public health or the environment. The primary federal laws and regulations include the *Resource Conservation and Recovery Act* of 1976 (RCRA) and the *Hazardous and Solid Waste Amendments* enacted in 1984; the *Comprehensive Environmental Response, Compensation and Liability Act* of 1980 (CERCLA); and the *Superfund Act and Reauthorization Act* of 1986 (SARA). Federal statutes pertaining to hazardous materials and wastes are contained in the *Code of Federal Regulations* (CFR), Title 40.

State

California hazardous materials laws incorporate federal standards, but are often stricter than federal laws. The primary state laws include the *California Hazardous Waste Control Law* (HWCL), the State equivalent of RCRA, and the *California Hazardous Substance Account Act*, the State equivalent of CERCLA. State hazardous materials and waste laws are contained in the *California Code of Regulations* (CCR) Titles 22 and 26. State underground storage tank laws and regulations are contained in the CCR Title 23.

The California Department of Toxic Substances Control (DTSC) enforces hazardous materials and waste regulations in California, in conjunction with the U.S. EPA. The DTSC is responsible for regulating the management of hazardous substances including the remediation of sites contaminated by hazardous substances. The Regional Water Quality Control Board (RWQCB) is authorized by the State Water Resources Control Board to enforce provisions of *the Porter - Cologne Water Quality Control Act* of 1969. The Bay Area Air Quality Management District (BAAQMD) may also impose specific requirements on remediation and other activities to protect ambient air quality from dust or other airborne contaminants.

Underground Storage Tanks

State laws also regulate USTs containing hazardous substances. These laws are primarily found in the Health and Safety Code, and, combined with CCR Title 23, comprise the requirements of the State UST program. The laws contain requirements for UST permitting, construction, installation, leak detection monitoring, repairs and corrective actions and closures. In accordance with state laws, the San Francisco Department of Public Health implements UST regulations in the City and County of San Francisco.

Local Ordinances

Three local ordinances meet or exceed state and federal requirements for site investigations and the storage of hazardous substances. These include San Francisco Public Works Code, Article 20, Section 1000 *et seq.* (the "Maher Ordinance"); San Francisco Municipal Code, Article 21 (the Hazardous Materials Ordinance); and San Francisco Municipal Code, Article 22 (the Hazardous Waste Ordinance). The relevant portions of Articles 20 and 22A (which effectively implement the Maher Ordinance) come into play at the time of application for Building Permit(s).

Maher Ordinance

The 1986 Maher Ordinance as amended requires an investigation of hazardous materials in soil at certain construction sites as a prerequisite for any building permit. The Maher Area encompasses the area of the city Bayward of a historic, pre-1906 earthquake high tide line. This area is largely the part of San Francisco created by landfill where past industrial land uses and debris fill associated with the 1906 earthquake and Bay reclamation often left hazardous residue in local soils and groundwater.

The Maher Ordinance requires that, if more than 50 cubic yards of soil are to be disturbed and the project is on fill, or is at a location designated for investigation by the director of the Department of Public Health, applicants for building permits must, among other things, prepare a site history and analyze the site's soil for hazardous materials. The seawall lot component of the Cruise Terminal project site is subject to the Maher Ordinance because an excess of 50 cubic yards of soils would be disturbed for construction and it is bayward of the historic high tide line. Because soil sampling conducted on the seawall lot indicated that hazardous wastes are present in the soil, site mitigation (remediation) would be required.

Hazardous Materials Ordinance

The Hazardous Materials Ordinance provides for safe handling of hazardous materials in the City. Any person or business that handles, sells, stores, or otherwise uses hazardous materials in quantities exceeding specified thresholds and for specified periods, is required by Article 21 to register the hazardous materials with the Department of Public Health and prepare and implement certain plans and reporting procedures.

Hazardous Waste Ordinance

The Hazardous Waste Ordinance provides for safe handling of hazardous wastes in the City. The ordinance incorporates the state requirements for hazardous waste described in Section 6.5 (Hazardous Waste Management) of the California Health and Safety Code as well as the accompanying regulations found in CCR Title 22.

San Francisco Building Code – Chapter 36

Construction and renovation activities must comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint. If any work as part of the project would disturb or remove lead paint on the exterior of a building constructed prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties. Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. The regulating ordinance contains performance standards, including establishment of containment barriers that are at least as effective at protecting human health and the environment as those in the most recent *Guidelines for Evaluation and Control of Lead-Based Paint Hazards* promulgated by the U.S. Department of Housing and Urban Development.

IMPACTS

This section describes potential impacts related to the proposed projects and any legally required remediation and abatement measures that would be implemented to reduce or eliminate potential impacts. On the basis of this environmental review, no significant impacts that cannot be mitigated are identified.

Significance Criteria

Hazardous materials impacts would be considered significant for the purposes of this EIR if they were to create a potential public health hazard or involve the use, production or disposal of materials that pose a hazard to people or animal or plant populations in the affected area. Impacts would also be considered significant if the proposed project would interfere with emergency response plans or emergency evacuation plans.

Definition, identification, and determination of threshold levels of hazardous materials are provided in CFR Title 40 and in the CCR Titles 22 and 26. Hazardous material means a substance or combination of substances that, because of its quantity, concentration or physical, chemical or infectious characteristics, may pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed (Harte, 1991). Determination of "substantial" hazard or "significant" levels of hazardous materials is performed on a case-by-case basis, although generally there are regulatory guidelines for determining acceptable levels and/or public health risks associated with exposure to hazardous materials.[34]

IMPACT ANALYSIS

Soil Contamination

As stated above, files at SFDPH indicated that five USTs associated with the former gasoline station have been removed, and that no further soil or groundwater remedial action was required. On this basis, it is unlikely that petroleum hydrocarbons associated with the former gasoline station remain at concentrations that would pose a human or environmental hazard at the project site. However, as stated above, on-site subsurface fill material sampled on the seawall lot indicate elevated soluble lead concentrations.

The project site is located within the area covered under the Maher Ordinance and must meet the requirements for contaminated soil provided in the ordinance. Compliance with the Maher Ordinance requires testing of subsurface soil to determine the magnitude and extent of soil contamination. As discussed above, SCI has already conducted subsurface testing on the seawall lot using procedures required by SFDPH, although SFDPH would have to determine if additional testing is required.

SFDPH implements the Maher Ordinance and would require full compliance with the Maher Ordinance prior to construction of the proposed project. Based on completed subsurface investigations that revealed hazardous constituent concentrations in the soil on the seawall lot, the Cruise Terminal project sponsor would be required to submit a Site Mitigation Plan (SMP) to appropriate agencies, including the San Francisco Department of Public Health, as part of the project. The construction contractor would handle and dispose of excavated soils properly, employ worker health and safety and dust control procedures, and have a State Registered Professional Geologist or Engineer certify, at the completion of foundation activities, that all elements of the SMP have been performed in compliance with Article 20 requirements. Compliance with the Maher Ordinance would reduce any potential impacts related to soil or groundwater to a less than significant level.

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[34] Health risk evaluations are generally conducted in accordance with guidelines contained in the 1994 Cal EPA *Preliminary Endangerment Assessment Manual* and the U.S. EPA 1989 *Risk Assessment Guidance for Superfund, Volume 1, Human Health Evaluation Manual, Part A, Interim Final* as supplemented by later guidance documents. While there is some latitude in how to apply these guidelines, a risk assessment is generally conducted under the oversight of a regulatory agency to ensure that the risk assessment appropriately reflects potential health risks posed by a site.

Other Hazardous Materials

Asbestos

The Brannan Street Wharf project would include removal of Pier 36, including an existing shed building on Pier 36. The Cruise Terminal project would involve the partial reconfiguration and structural upgrading of Pier 30-32. Potential exposure to asbestos, and the resulting adverse health effects, is possible throughout the demolition and renovation phases, if materials that contain hazardous substances are present during operations. The shed located on Pier 36 and any structural materials located atop pier pilings should be sampled prior to demolition and if asbestos is identified, these materials must be abated in accordance with applicable law prior to construction.

Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. BAAQMD randomly inspects asbestos removal operations. In addition, the BAAQMD will inspect any removal operation about which a complaint has been received.

Further, the local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8 CCR 1529 and 8 CCR 341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material is required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California law, the Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would ensure that any potential impacts due to asbestos related to either project would be reduced to a less than significant level.

Lead-based Paint and Lead Pipes

Demolition work associated with removal of the shed on Pier 36 as part of the Brannan Street Wharf project could create exposure to paint materials containing lead, a potential hazard. Dust-generating activities that include removal of walls, sanding, welding, and material disposal could produce airborne quantities of lead-laden material. These materials could expose workers and persons in close proximity, including off-site locations. In addition, lead piping may be located in structural materials atop pilings supporting Piers 30-32 and 36.

Precautions and work practices in compliance with the San Francisco Building Code, Chapter 36, must be initiated to appropriately handle areas identified as containing lead-based paint. The ordinance also identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party (owner or contractor) must provide written notice to the Director of Building Inspection of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or non-residential, owner-occupied or rental property; the approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Contaminant is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.)

The ordinance also contains provisions regarding inspection, sampling, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance. These regulations and procedures required as part of the San Francisco Building Code would ensure that potential impacts due to lead-based paint would be reduced to a less than significant level. Disposal of any lead piping in an appropriate landfill facility would reduce potential impacts to a less than significant level.

Creosote Treated Lumber

The Brannan Street Wharf project would involve removal of Pier 36 as well as the marginal wharf between Pier 30-32 and Pier 36, and potentially reaching to Pier 38. As part of the Cruise Terminal project, plans include the partial reconfiguration and structural upgrading of Pier 30-32, potentially

including some of the marginal wharf adjacent to the pier. The pilings that support the marginal wharf are composed of wooden timbers treated with creosote and encased in concrete to protect against deterioration. Creosote-treated lumber is not classified as hazardous waste and can be reused in other settings. For example, railroad ties treated with creosote are commonly placed in residential gardens as architectural borders. However, creosote-treated lumber must ultimately be disposed of in an approved landfill Class II lined cell, accompanied by the proper manifest. Ingestion of liquid creosote or creosote-laden materials, inhalation of liquid creosote vapors, or dermal contact with liquid creosote can be hazardous to human health. Removal of timber piling is not expected to create hazards to worker health and safety, as creosote would not be handled in a liquid form, and creosote concentrations in the pilings are likely to have decreased over time. Proper disposal of creosote-treated lumber in pier pilings would reduce potential impacts to a less than significant level.

Hazardous Materials Used in Operation

The proposed project would not involve transportation, storage, use or disposition of hazardous materials as business objectives. The transportation and dispensing of motor vessel fuel would all occur over the water subject to water quality regulations discussed in Chapter III.D, Hydrology and Water Quality, of this document. Compliance with applicable laws and regulations would reduce potential adverse environmental impacts associated with the transportation, storage, use and disposition with any other hazardous materials used in operation of the project to a less than significant level. Specifically, a Hazardous Materials Business Plan would be developed and maintained in good standing by operators of project facilities in conformance with Article 21 of the Public Health Code, City and County of San Francisco. Similarly, operators of project facilities would be required to comply with all other applicable local, state and federal laws and regulations relating to the handling, storage, use, transportation, and disposition of hazardous materials.

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I. GROWTH INDUCEMENT

San Francisco consistently ranks as one of the most expensive housing markets in the United States. San Francisco is the central city in an attractive region known for its agreeable climate, open space and recreational opportunities, cultural amenities, strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support strong housing demand in the City. New housing to relieve the market pressure created by the strong demand is particularly difficult to provide in San Francisco because the amount of land available for residential use is limited, and because land and development costs are high. An estimated 311,400 households resided in San Francisco in 1995. By 2015, San Francisco households are expected to increase by 32,200 households, a 10 percent increase.[35]

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project were not approved and implemented. The proposed Cruise Terminal project would introduce a variety of new uses to the Cruise Terminal project site, including residential, retail, entertainment, office, and maritime. As a development in a highly urbanized area with an existing infrastructure in place, the project would not be expected to substantially alter development patterns in the Northeastern Waterfront area or elsewhere in San Francisco. In fact, as discussed in Section III.A, Land Use, Plans, and Policies, the San Francisco General Plan and the Port of San Francisco's Waterfront Plan specifically identify the project site for the type of development proposed as part of the project. The same would be true for the Brannan Street Wharf project.

The proposed Cruise Terminal project would result in a net increase in floor area of 100,000 gross square feet (gsf) of cruise terminal space, 220,000 gsf of retail space, and 370,000 gsf of office space, compared to existing conditions. In the context of existing and future patterns of development, growth in the number of households, and demand for housing, this net change would not represent a substantial population growth or concentration in the neighborhood, city or region. With completion of construction of the Cruise Terminal project, Pier 35 may no longer be used as a cruise terminal. As a result, the Port may seek to redevelop Pier 35 for other yet-to-be-determined uses. At such time that a proposal is considered for redevelopment of Pier 35, an appropriate level of CEQA analysis would be prepared specific to that proposal.

Further, the Cruise Terminal project would introduce 350 new residential units into the project neighborhood. Given the increasingly residential character of the South Beach area, the mixed-use nature of that project, and the location of the project site in a densely developed urban area, the Cruise Terminal project would not necessitate or induce the extension of municipal infrastructure. In view of the above, there is no reason to believe that the Cruise Terminal project would result in additional development in

[35] San Francisco Planning Department *Interim Transportation Impact Analysis Guidelines for Environmental Review*, January 2000; and Keyser Marston Associates, Inc., *San Francisco Cumulative Growth Scenario: Final Technical Memorandum*, prepared for the San Francisco Redevelopment Agency, March 30, 1998.

the project vicinity that would not otherwise occur. Similarly, the proposed Brannan Street Wharf open space, which would be constructed in a dense urban context with a wide variety of uses, would not necessitate or induce the extension of municipal infrastructure or result in additional development in the project vicinity that would not otherwise occur.

Although housing affordability and availability remains an important policy issue in San Francisco and throughout the Bay Area, project employment, even if it were to represent all new residents, would result in a small contribution to overall housing demand, and would not be considered significant. The project would not be expected to induce any substantial amount of new growth, either residential or commercial.

J. OTHER ENVIRONMENTAL ISSUES ADDRESSED IN THE 1997 WATERFRONT PLAN EIR

As noted in Chapter I, Introduction, the Port of San Francisco Waterfront Plan EIR was certified on January 9, 1997. That EIR analyzed environmental impacts resulting from implementation of the Waterfront Plan, including: public plans and policies; land use; population, housing and employment; transportation; noise; air quality; visual quality and urban design; biological resources; geology, soils, and seismicity; hydrology and water quality; public services and utilities; energy; hazards and hazardous materials; historic architectural resources; and archaeological resources. The EIR analyzed the environmental effects for the entire Waterfront Plan Project Area, which, as discussed above in Section III.A, Land Use, Plans, and Policies, spans from India Basin in the south (approximately Pier 98) to Hyde Street Pier in the north (approximately Pier 47). This analysis was done for three scenarios, including a No Project Alternative and two development alternatives representing two different levels of development intensity. The project area encompasses five subareas, including the South Beach/China Basin subarea in which the Cruise Terminal and Brannan Street Wharf project sites are located.

Below is a brief discussion of each of the environmental issues addressed in the Waterfront Plan EIR for which the Cruise Terminal and Brannan Street Wharf projects would not have the potential to create new or different environmental effects than those already analyzed in that EIR. These issues include energy, noise, biology, geology, soils and seismicity, historic architectural resources, archaeological resources, and public services and utilities. Although neither of the proposed projects would have the potential to result in new significant effects with respect to any of these issues, this section does provide relevant additional project-specific information.

In some instances, implementation of appropriate mitigation measures identified in the Waterfront Plan EIR would still be required to lessen potential significant effects to a less than significant level. As such, all of the mitigation measures (and, where relevant, improvement measures) included in the Waterfront Plan EIR that are applicable to the proposed project with respect to any of these issues are incorporated herein by reference.

1. ENERGY

The Waterfront Plan EIR includes an Energy impact section (Section V.L, pp. 612-616) that analyzes the expected construction- and operation-related energy effects. The Waterfront Plan concluded that no significant impacts would occur as a result of development under any of the alternatives of the proposed Waterfront Plan.

As discussed in the Waterfront Plan EIR (p. 310), new buildings in San Francisco are required to conform to energy conservation standards specified by Title 24 of the California Code of Regulations. The efficiency standards apply to new construction of both residential and non-residential buildings, and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. Documentation

showing compliance with these standards is submitted with the application for the building permit. Title 24 is enforced by the Department of Building Inspection.

The Waterfront Plan EIR (p. 613) indicates that the need for construction of new transmission facilities or generating facilities to provide electricity or natural gas would need to be assessed on a case-by-case basis when specific requirements of individual projects are known. Neither of the proposed projects would result in the need for construction of additional energy production facilities and therefore would not result in environmental effects associated with construction of such facilities. Further, the Cruise Terminal project would meet current state and local codes concerning energy consumption and would not inherently cause a wasteful use of energy. The Brannan Street Wharf project would not involve construction of new structures or otherwise create a substantial demand for energy. Therefore, effects related to energy consumption would be less than significant for both projects.

2. NOISE

The Waterfront Plan EIR includes a Noise impact section (Section V.E, pp. 509-520) that analyzes expected construction-related noise effects and operational noise effects, including noise from traffic, building equipment, and increased maritime activity. The Waterfront Plan concluded that no significant impacts would occur as a result of development under any of the alternatives of the proposed Waterfront Plan. Further, no specific impacts were identified specific to the South Beach/China Basin subarea in which the project sites are located.

Generally, vehicle traffic must double in volume to produce a noticeable increase in noise levels. Traffic volumes in the vicinity of the project site would not be expected to double as a result of the Cruise Terminal project. Therefore, substantial increases in traffic noise in the project area would not be anticipated. Freight loading activities would increase markedly, because the project would represent an introduction of new uses to a site where there is currently no activity. However, given the project's location in a dense urban area where regular loading activity is common, noise associated with loading activities would not be substantial. In addition, if Mitigation Measure C.6 is implemented, freight deliveries on the seawall lot would be limited to between 3:30 p.m. and 6:30 p.m. The Wharf project would not result in any noise increases related to traffic since it is not considered to generate unique vehicle trips.

The State of California has prepared guidelines for determining the compatibility of various land uses with different noise environments. For office uses, the guidelines recommend that necessary noise insulation features be included in new construction in areas where the noise levels are greater than about 68 Ldn (day-night background noise level). For multi-family residential uses, the recommendation applies when noise levels are greater than about 60 Ldn.

To ensure that occupants of existing and proposed residential units are not adversely affected by proximity to traffic noise, standard noise insulation measures would be included as part of the design for the proposed Cruise Terminal project, as required under Title 24 of the California Code of Regulations.

Such standards are applicable to construction of multi-family dwelling units and require that exterior noise be attenuated such that the interior noise level of any habitable room not exceed 45 dBA. The Department of Building Inspection would review the final building plans to insure that the building wall and floor/ceiling assemblies meet State standards regarding sound transmission.

Further, the Waterfront Plan EIR states that land uses that would be developed in the South Beach/China Basin subarea under all alternatives are generally similar to those uses that exist in the area (as well as those that would be developed under the proposed projects). Existing open space and public access and residential land uses in and near the South Beach/China Basin subarea "are located in an area that regularly experiences maritime and surface traffic noise and would not be substantially affected by proposed uses." As such, cruise-ship-related noise, such as intermittent ship whistles, would not be considered unusual or substantially disruptive.

The Cruise Terminal project would include mechanical equipment, such as air conditioning units and chillers, that could produce operational noise. These operations would be subject to the San Francisco Noise Ordinance, Article 29 of the San Francisco Police Code. The project would be required to comply with Article 29, Section 2909, "Fixed source noise levels," which regulates mechanical equipment noise. The project would be required to comply with these noise limits. Since equipment noise would be limited by the ordinance to 60 dBA during the night and 70 dBA during the day, the project's operational noise would generally not exceed ambient noise levels in the project area. The Wharf project would not include any substantial noise-producing mechanical equipment.

With regard to both projects, demolition and/or building construction would temporarily increase noise in the site vicinity. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers. During the construction period, temporary construction noise would be noticed by neighboring residents and retail and office workers. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the City Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (such as jackhammers and impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by five dBA at the project property line, unless a special permit is authorized by the Director of Public Works.

At times during construction, noise levels would disturb surrounding building occupants and could interfere with indoor activities in nearby buildings. Noise impacts would be temporary and intermittent in nature and limited to the period of construction. Further, project construction would comply with the San Francisco Noise Ordinance.

In light of the above, noise associated with the operation and construction of both the Cruise Terminal and Wharf projects would be less than significant.

3. BIOLOGICAL RESOURCES

The Waterfront Plan EIR includes a Biological Resources impact section (Section V.H, pp. 548-560) that analyzes the expected effects on marine biological resources caused by pier removal, pier repair and replacement, dredging, removal and addition of fill, and increased stormwater runoff. The Waterfront Plan EIR concluded that except for the potential short-term significant effects to Pacific herring as a result of repair or replacement of pier pilings during the December to March spawning period, no significant impacts would occur as a result of development under the proposed Waterfront Plan. Further, no impacts were identified specific to the South Beach/China Basin subarea in which the project sites are located.

The proposed projects would involve pier removal, pier repair and replacement, dredging, removal and addition of fill, and increased stormwater runoff, but at less intensive levels than analyzed in the Waterfront Plan EIR. In addition, Mitigation Measure H.1 from the 1997 Waterfront Plan EIR, which would limit pier repair and replacement work to outside the Pacific herring spawning period, has been included in this SEIR (see Chapter IV). As such, with implementation of the mitigation identified in the Waterfront Plan EIR, neither the Cruise Terminal or Wharf project would be expected to result in significant impacts on biological resources.

4. GEOLOGY, SOILS, AND SEISMICITY

The Waterfront Plan EIR includes a Geology, Soils, and Seismicity impact section (Section V.I, pp. 561-582) that analyzes the expected safety effects caused by soil settlement and subsidence, demolition, pile driving, and earthquake and tsunami hazards. The Waterfront Plan EIR found that, except for potential effects associated with the increased risk of injuries and structural and non-structural damage associated with earthquakes, all other impacts could be mitigated to a less than significant level (see Chapter IV for a list of the relevant mitigation measures from the 1997 Waterfront Plan EIR that are included in this SEIR). The identified earthquake hazard is derived in large part from the soils of the area and the potential collapse of buildings. Further, new construction would be expected to perform better in large earthquakes, but would not necessarily eliminate all potential hazards. However, the Waterfront Plan EIR notes that ground shaking would be highly variable in intensity and type from one site to another, because of the way geologic materials respond to ground shaking and because the effect of the shaking would be related to building form and massing, foundation type, structural design, materials, construction quality, and location relative to other buildings.

The project sites are not in an Alquist-Priolo Special Studies Zone, and no known active fault exists on or in the immediate vicinity of the sites. The closest active faults are the San Andreas Fault, 7 miles to the west, and the Hayward Fault, 12 miles to the east. Like the entire San Francisco Bay Area, the project sites are subject to ground shaking in the event of an earthquake on these faults, although surface rupture is unlikely. The project sites are located in an area of liquefaction potential, a Seismic Hazards Study Zone designated by the California Division of Mines and Geology.

The Wharf project would be entirely constructed over fill, much of which would be replaced or repaired. Further, the proposed Wharf project would involve demolition of a potentially unsafe structure and would not involve construction of any new buildings. Therefore, while the Wharf project would increase the number of people that use the project site, the project would not be subject to unstable soils or the potential collapse of buildings.

The pier component of the Cruise Terminal would be entirely constructed on Pier 30-32, which would undergo a substantial seismic structural upgrade (see Section II.D for description of these improvements). Except for the 1,500 square-foot Red's Java House structure, all buildings on the pier would be new construction. The seawall lot component of the project would be constructed on soils in a liquefaction zone, but all buildings on the site would be new construction.

For any development proposal in an area of liquefaction potential, the Department of Building Inspection (DBI) will, in its review of the building permit application, require the project sponsor to prepare a geotechnical report pursuant to the State Seismic Hazards Mapping Act. (Preliminary geotechnical investigations by a California-licensed geotechnical engineer have been prepared for both components of the project site that will be finalized before submittal of the building permit application.) DBI would assess the nature and severity of the hazard(s) on the site and recommend project design and construction features that would reduce the hazard(s).

To ensure compliance with all San Francisco Building Code provisions regarding structural safety, when DBI reviews the geotechnical report and building plans for a proposed project, it will determine necessary engineering and design features for the project to reduce potential damage to structures from ground shaking and liquefaction. Therefore, potential damage to structures from geologic hazards on the project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the Building Code.

As discussed on page 570 of the Waterfront Plan EIR, projects that require a BCDC permit (as would both the Cruise Terminal and Wharf projects) may be required to obtain approval from BCDC's Engineering Criteria Review Board (ECRB). The ECRB is empowered to establish and revise safety criteria for structures (such as piers) or other types of fills on top of Bay Mud or for structures on fill that have already been placed over Bay Mud. The ECRB reviews projects for specific safety provisions, makes design recommendations, prescribes inspection systems to ensure placement of fill according to approved designs, and gathers performance data from specific development projects. The ECRB's activities are intended to complement the functions of local building departments.

In addition, mitigation measures from the 1997 Waterfront Plan FEIR (Measures I-1, I-3, I-4, I-5, I-7, I-8, I-9, I-10, and I-11) that address a variety of potential geology, soils, and seismicity effects have been included in this SEIR (see Chapter IV).

As such, neither the Cruise Terminal or Wharf project would result in any new significant impacts associated with soils, geology, or seismicity that were not analyzed in the Waterfront Plan EIR.

However, the significant unavoidable impact associated with the increased risk of injuries and structural and non-structural damage related to earthquakes identified in the Waterfront Plan EIR would not be reduced to a less than significant level.

5. HISTORIC ARCHITECTURAL RESOURCES

The Waterfront Plan EIR includes an Historic Architectural Resources impact section (Section V.N, pp. 630-637) that analyzes the expected effects on historic architectural resources caused by demolition or inappropriate alteration of architecturally significant structures. The Waterfront Plan EIR indicates that there would be significant impacts in locations with structures identified as Significant or Potentially Significant as a result of development under the proposed Waterfront Plan. A discussion of the South Beach/China Basin subarea, as supplemented by a map (Map 46) that graphically delineates Significant and Potentially Significant resources within the Waterfront Plan study area, indicates that no such resources are located on either the Cruise Terminal or Wharf project site.

This assessment was based on historic resource surveys described and summarized in the Waterfront Plan EIR, which included a 1996 survey prepared by Architectural Resources Group (ARG) of all historic resources north of China Basin. The ARG survey used Secretary of the Interior criteria and identified resources that were potentially eligible individually or collectively for listing on the *National Register of Historic Places* (National Register). The ARG survey included assessments of Pier 30-32 (which would be altered by the Cruise Terminal project), Red's Java House (which would not be altered by the Cruise Terminal project), and the pier and shed at Pier 36 (which would be demolished as part of the Wharf project), concluding that they appeared ineligible for National Register consideration. The ARG survey also identified resources that would be potential contributors to a waterfront historic district. Pier 30-32, Red's Java House, and the pier and shed at Pier 36 were listed in the "non-contributing" category of resources along the waterfront.[36]

After certification of the Waterfront Plan EIR in 1997, the Port developed and adopted, as part of the Waterfront Plan, the *Waterfront Design and Access Element* (Design and Access Element). The Design and Access Element contains Port-wide policies that focus on enhancement and expansion of public access and open space; urban design and architectural criteria; and preservation of historic resources. The historic resource policies were formulated based on surveys identified and summarized in the Waterfront Plan EIR.

With respect to Pier 30-32, the Design and Access Element promotes a bold architectural design that emphasizes its waterfront setting, and provides site-specific criteria to achieve this. The detailed design criteria build upon one of the Waterfront Plan's development standards for the Bryant Street Pier Opportunity Area, to "require a high standard of design which is appropriate to the prominence of the site and establishes a new architectural identity for waterfront development in the South Beach area."

[36] *Port of San Francisco Historic Resources Data Base*, Architectural Resources Group, November, 1996.

Historic resources policies of the Design and Access Element identified historic resources that would be preserved consistent with Secretary of the Interior Standards, and provided direction on further analysis to be conducted for other specified resources to determine preservation, rehabilitation and reuse standards. Pier 30-32, Red's Java House, and the pier and shed at Pier 36 are not cited as relevant resources in these policies.

From 1997 to 2000, the Port and BCDC worked intensively to develop cooperative amendments to their respective plans for the San Francisco waterfront to establish consistent policies. One of the many issues addressed was preservation of historic resources. As a result of that three-year process, the Port Commission and BCDC approved amendments to the Port's Waterfront Plan and BCDC's San Francisco Waterfront Special Area Plan in July, 2000 that included a schedule for nominating a National Register historic district containing Port historic structures between Fisherman's Wharf and China Basin. Accordingly, the Port has secured funds and hired an historic preservation consultant to prepare the National Register historic district nomination by or before June, 2002. A draft of the nomination is not expected to be available for review before January, 2002. Based on the historic surveys produced to date, it is not anticipated that Pier 30-32, Red's Java House, or the pier and shed on Pier 36 will be included in the nomination.

The projects incorporate many features identified by the Port as consistent with and enhancing the City's historic waterfront, including incorporation of public access surrounding the pier, the PortWalk, retaining views of the water and provision of new public open space. The projects would be subject to the waterfront design review process to ensure compatibility of the overall design with the Waterfront Land Use Plan policies, including compatibility of the projects with the historic waterfront.

As such, neither the Cruise Terminal or Wharf project would have the potential to result in significant impacts on existing historic architectural resources or the planned waterfront historic district.

6. ARCHAEOLOGICAL RESOURCES

The Waterfront Plan EIR includes an Archaeological Resources impact section (Section V.O, pp. 638-643) that analyzes the expected effects resulting from the disturbance of subsurface cultural resources caused by excavation associated with development. The Waterfront Plan EIR concluded that portions of the project area have a high potential for containing significant buried archaeological resources, but that the potential impacts on these resources is in large part a function of the amount of excavation that would occur. The Waterfront Plan EIR further concluded that, "In areas where little or no excavation is anticipated under, or would otherwise be encouraged by, the WLUP, essentially no impact to archaeological resources would be expected."

The Wharf project would be constructed entirely on pier or wharf structures and would therefore not have the potential to disturb subsurface resources. Similarly, the pier component of the Cruise Terminal project would be built entirely on Pier 30-32 and the adjacent marginal wharf. The seawall lot component of the Cruise Terminal would be constructed on a site reclaimed from the Bay following the 1906

Earthquake and Fire and where soil would be disturbed. However, development on the seawall lot would involve only minimal soil disturbance, and grading of the site would only disturb soil previously disturbed over the past nearly 100 years of the site's use as a railyard and parking lot.

As such, neither the Cruise Terminal or Wharf project would have the potential to result in significant impacts to archaeological resources.

7. PUBLIC SERVICES AND UTILITIES

The Waterfront Plan EIR includes a Public Services and Utilities impact section (Section V.K, pp. 600-611) that analyzes the expected effects resulting from the increased in demand for public services and utilities, such as schools, fire and police, and water. The Waterfront Plan concluded that services are generally available to support increases in development and activity associated with all alternatives and therefore no significant environmental effects would occur.

The proposed Cruise Terminal project would incrementally increase demand for and use of public services and utilities on the site and increase water consumption, but not in excess of amounts expected and provided for in the project area, and would not be expected to have any measurable impact on public services or utilities. Because the project would provide open space, it would have a negligible effect on the demand for recreational facilities in the vicinity. Development of the Wharf project, which would not result in any substantial increase in demand for services and utilities, would further the provision of recreational facilities for the vicinity. Moreover, both projects would be undertaken in a fully built-out area of downtown San Francisco, where all utilities and services are currently provided for; no need for any expansion of public utilities or public service facilities is anticipated. As such, neither the Cruise Terminal or Brannan Street Wharf project would have the potential to result in significant impacts to public services and utilities.

CHAPTER IV
MITIGATION AND IMPROVEMENT MEASURES

Subsequent to initial approval on January 9, 1997, of the Port of San Francisco's 1997 Waterfront Land Use Plan FEIR (including the mitigation measures contained therein), the Port Commission adopted Resolution 97-50 on June 24, 1997, approving the Waterfront Land Use Plan. The adopted resolution included an amended set of the mitigation measures identified in the FEIR (provided in this SEIR in their entirety as Appendix F). Some of these measures are included here, but have been modified to address more specifically the adverse or potentially adverse environmental impacts associated with the projects analyzed in this SEIR. These measures include a notation indicating the corresponding measure from the Waterfront Plan FEIR. Additional measures are referenced in this chapter (and listed in Appendix F) because they are directly applicable to the projects analyzed in this SEIR. Finally, some of the measures that the Port Commission adopted in connection with the Waterfront Land Use Plan are not applicable to the projects analyzed in this SEIR, and therefore, are not included in this SEIR.

In addition, in the course of project planning and design, additional measures have been identified that would reduce or eliminate potential significant environmental impacts associated with the proposed Cruise Terminal and Brannan Street Wharf projects. Measures identified by this SEIR or those that may have been rejected by the project sponsor(s) may be required by the Port Commission, the Planning Commission, and other decision-making bodies as conditions of project approval, if either of the projects were to be approved. Measures provided below that do not indicate a corresponding measure from the Waterfront Plan FEIR were identified by this SEIR.

Each mitigation measure is discussed below. In addition, recommended Improvement Measures have been provided below that would serve to reduce adverse environmental effects that were not at a significant level. For each set of measures, an indication is provided of whether the measures apply to the Cruise Terminal project, the Brannan Street Wharf project, or both projects.

C. TRANSPORTATION, CIRCULATION AND PARKING

MITIGATION MEASURES *(Cruise Terminal Project)*

INTERSECTION TRAFFIC

Existing Plus Project Conditions

C.1 **The Embarcadero/Bryant Street Intersection –**

a. Widen the eastbound approach at The Embarcadero/Bryant Street intersection. Eliminate the painted median on Bryant Street between The Embarcadero and Main Street, in order to add a third travel lane to the eastbound approach of the intersection. Re-stripe for one left-turn lane, one through lane, and one right-turn lane. Realignment of the curb and widening of Bryant Street width would be necessary if the additional lane is continued from The Embarcadero west to Main Street. If the current street width were maintained on Bryant Street, the length of the additional turn lane would be restricted to approximately two car lengths. *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-4)*

c. The Department of Parking and Traffic should consider modifying the southbound traffic signal at The Embarcadero/Bryant so that the left-turn movement has a green arrow instead of a flashing yellow left-turn signal. *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-4)*

C.2 **Transportation Demand Management Program** – To alleviate the impacts of vehicle trip generation to the project site, it is recommended that a Transportation Demand Management (TDM) Program be implemented to reduce potential automobile trips and to reduce related impacts, such as the demand for parking. A copy of the *San Francisco Cruise Terminal Mixed-Use Project TDM Program* is included in Appendix H. *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-7)*

C.3 **Intelligent Transportation Management System (ITMS)** – To mitigate traffic impacts at LOS E and LOS F intersections, the project sponsor should work with the Department of Parking and Traffic (DPT) to determine an appropriate level of contribution to the DPT ITMS program to provide changeable message signs, video cameras, and other traffic flow control measures along The Embarcadero and King Street.

Cumulative Conditions

C.4 **The Embarcadero/Howard Street Intersection** – Add a third travel lane to the eastbound approach on Howard Street by removing parking on the south side of the street. This would allow room for two left-turn lanes and one right-turn lane. (If this mitigation measure is not implemented, the Department of Parking and Traffic should consider striping the existing right lane for left and right turns. It has been observed that drivers are using both lanes to make left turns.) *(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure D-4)*

TRANSIT

C.5 Additional transit capacity should be added to the Southeast MUNI screenline to accommodate the increased demand for service. Based on analysis, the addition of 107 peak hour transit spaces (seats plus standees) would bring the transit capacity back to the acceptable level of service, 96 percent capacity utilization. The project sponsor's share of that increase in transit capacity would equate to about 17 percent of the new capacity. If an effective Transportation Demand Program (TDM) program is implemented, the project sponsor's fair share would potentially increase. Demand under either scenario could be accommodated by the peak hour addition of a streetcar or by providing an historic streetcar for operation upon initiation of E-Line service.

C.6 As requested by MUNI, the project sponsor shall contact the MUNI Special Events office as needed to alert them to special events at Pier 30-32 that would place extra demand on MUNI services.

TRUCK LOADING

The following mitigation measures are recommended to minimize the disruption to traffic along Bryant Street while trucks maneuver into the loading bays serving the seawall lot component of the Cruise Terminal project:

C.7 Relocate the freight loading bays proposed for the seawall lot component of the project to Beale Street to eliminate the potential conflict with traffic on Bryant Street during the weekday commute periods; or

C.8 Prohibit freight deliveries to the proposed seawall lot component of the project during the afternoon PM peak period (between 3:30 and 6:30 PM).

PEDESTRIAN SAFETY

C.9 Work with the Department of Parking and Traffic and the Port to identify and implement measures, such as redesigning the Pier 30-32 driveway as an intersection with curbed corners and a signal controlled pedestrian crossing or installing pedestrian signals at the project driveway on the promenade to alert pedestrians to the heavy volume of traffic crossing the promenade at Bryant Street.

C.10 A pedestrian countdown signal should be installed on the pier side of The Embarcadero at the project driveways at Bryant Street and north of Brannan Street.

IMPROVEMENT MEASURES IDENTIFIED IN THIS SEIR *(Cruise Terminal Project)*

PARKING

C.1 The project sponsor should work with the San Francisco Giants' management to identify alternative locations that would be available for Pac Bell Park parking when the spaces on Pier 30-32 and Seawall Lot 330 are displaced.

C.2 The Port of San Francisco should identify an alternative location to accommodate Fisherman's Wharf tour bus parking displaced from Pier 30-32. The availability of this lot should be publicized to ensure that potential users are aware of its location.

C.3 As prescribed by the Department of Parking and Traffic, the garage on Pier 30-32 should have an electronic sign clearly alerting drivers when the garage is full and minimizing the potential for queuing on The Embarcadero.

CONSTRUCTION

C.4 Any temporary lane closures associated with the project should be restricted to off peak hours between 9:00 AM and 3:30 PM.

C.5 Project sponsor should identify an off-street location for temporary construction worker parking that would minimize the parking impacts on the neighborhood during construction of the project.

C.6 Temporary lane closures or disruptions that would impact traffic flows or MUNI operations should be coordinated with Department of Parking and Traffic and MUNI's Street Operations/Special Events office.

D. HYDROLOGY AND WATER QUALITY

MITIGATION MEASURES *(Cruise Terminal Project Only)*

SHIP-RELATED IMPACTS ON WATER QUALITY

D.1 The project sponsor shall initiate and maintain a program designed to prevent cruise ships at the proposed cruise terminal from releasing incidental or intentional discharges to San Francisco Bay. The types of prohibited discharges would include sewage, gray water, hazardous waste, ballast water, solid waste, and fuel or oil-related substances. Such a program would include, at a minimum: review of cruise lines' processes with relation to discharges; implementation of a reporting mechanism between the cruise ship line and cruise terminal operator that would include monitoring of discharge operations while in Port; reporting by the cruise terminal operator to the Coast Guard and other local agencies all incidental or intentional discharges to the Bay; and establishment of a regular meeting schedule between Coast Guard personnel and the cruise terminal operator to address ship discharge procedures and issues.

IMPROVEMENT MEASURES *(Both Projects)*

STORMWATER RUNOFF

D.1 To minimize the potential for water quality degradation from stormwater runoff, the Port should require that all tenants implement source control Best Management Practices consistent with those identified in the San Francisco Water Pollution Prevention Program and the Industrial/Commercial Storm Water Best Management Practices Handbook. Measures that could be implemented include, but are not limited to, the following:

- Training employees about the importance of stormwater pollution prevention, about proper material and waste storage/handling/disposal techniques, about spill/leak prevention and clean-up, and about emergency response;

- stenciling "Protect the Bay—Don't Dump" next to on-site storm drains;
- inspecting and cleaning if necessary, storm drain inlets and catch basins within the pier development before October 1 of each year;
- maintaining a spill response plan and training employees in the use of the plan;
- providing adequate secondary containment for working and storage areas to protect drains from spills and to make spill clean-up easier;
- properly containing and covering all solid and liquid wastes, especially during transfer;
- cleaning up spill immediately;
- prohibiting use of hazardous cleaning agents outdoors;
- designing loading/unloading areas to isolate these areas so that spills or leaks can be contained and cleaned, such as using berms or grade breaks and routing roof downspouts away from loading/unloading areas;
- keeping areas clean with regular sweeping of paved areas and removal of trash;
- prohibiting discharge of process water to storm drains;
- employing appropriate containment measures for fuel, lube oil, waste oil, and any other hazardous materials that may be handled or stored on-site, to capture potential spills;
- no steam cleaning/pavement cleaning water will be discharged directly into the Bay; and
- installing grease and sediment traps at vehicle maintenance and washing areas to prevent contaminating stormwater.

OPERATIONAL WATER QUALITY

D.2 The Port should work with the City and other agencies, such as Golden Gate National Recreation Area, to obtain and assure funding for annual updating of the San Francisco Oil Spill Prevention and Response Plan (OSPRP). The Port should also require the Cruise Terminal operator to develop a site-specific OSPRP to supplement the general San Francisco plan, maintain a contract with the spill response calendar, and maintain on-site first-response supplies.

CONSTRUCTION WATER QUALITY

D.3 The project sponsor should require contractors to prepare and implement a Storm Water Pollution Prevention Plan consistent with control measures identified in the San Francisco Water Pollution Prevention Program and those required under the statewide General Permit for Storm Water Discharges Associated with Construction Activity. Measures that could be implemented include, but are not limited to, the following:

- scheduling excavation and grading activities for dry weather periods;
- controlling the amount of runoff crossing the site using berms or temporary drainage ditches to divert water from the site;

- protecting storm drains in the vicinity of the site with berms or filters, even during dry weather;
- cleaning out catch basins on a regular basis;
- keeping materials out of the rain by covering exposed piles of soil or construction materials with plastic sheets;
- dry sweeping paved surfaces that drain to storm drains; and
- cleaning up all spills, leaks and drips so they do not contaminate soil or groundwater or leave residue on paved surfaces.

D.4 Best Management Practices should be implemented during construction of facilities on or adjacent to the Bay to minimize effects of construction activities on water quality. In order to minimize potential for spills, construction materials or debris to enter the Bay and affect water quality, site-specific construction methods and precautions, such as limiting activities on days of strong winds, could be included in the contractor's construction specifications to minimize effects on water quality. Demolition of structures with lead-based paint should include physical precautions to ensure that paint dust and chips do not enter the Bay.

E. AIR QUALITY

MITIGATION MEASURES

CONSTRUCTION AIR QUALITY (Both Projects)

E.1 The Port now requires that project sponsors direct construction contractors to implement a dust abatement program to reduce the contribution of project construction to local PM-10 concentrations. Elements of this program should continue to include the following, to reduce particulate emissions:

- Water all areas capable of creating fugitive dust during demolition, excavation and construction activity. This includes watering internal roadways, unpaved construction areas and active sites at least twice per day. Increase the frequency of watering when wind speeds exceed 15 miles per hour. San Francisco Ordinance 175-91 requires that non-potable water be used for dust control activities. Therefore, the project sponsor will require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose.
- Limit speeds to 10 miles per hour on all internal roadways and suspend all excavating and grading operations when instantaneous gusts exceed 25 miles per hour.
- Sweep paved internal roads, access roads, parking areas, construction staging areas and adjacent City streets if any visible soil material is carried over to these streets at the end of the day. Sweep up dirt or debris spilled onto paved surfaces immediately to reduce re-suspension of particulate matter through vehicle movement over these surfaces.
- Employ wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.

- As feasible, the contractor(s) shall limit the area subject to excavation, grading and other construction activity at any one time.
- Replace ground cover in disturbed areas as quickly as possible.
- Enclose, cover, water twice daily, or apply soil binders to exposed stockpiles of sand, gravel and dirt. Cover all trucks hauling dirt, sand, soil, or other loose materials. Maintain at least six inches of freeboard between the top of the load and the top of the trailer.
- Install gravel at construction equipment entrances to unpaved areas to prevent tracking of dirt and mud onto streets.
- Designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air District prior to the start of construction.
- The project contractor(s) shall submit to the BAAQMD a comprehensive inventory of all the heavy-duty equipment (50 hp or greater) that would be used more than 40 hours over the life of the project. This equipment may be owned and operated by the prime contractor and/or any subcontractor. At least 20% of this equipment shall be powered by CARB-certified off-road engines.
- Contractor(s) shall ensure that any stationary motor sources (such as generators and compressors) located within 100 feet of any residence, public facilities, or school (sensitive receptors) is equipped with a supplementary exhaust pollution control system as required by the BAAQMD and CARB.
- Maintain and operate construction equipment so as to minimize particulates from exhaust emissions. During construction, require contractors to operate trucks and equipment only when necessary. Equipment should be kept in good condition and well tuned, to minimize exhaust emissions.

This mitigation measure would also reduce demolition-related impacts regarding lead paint chips/lead dust. The project sponsor would also be required to comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint, enforced by the San Francisco Department of Building Inspection.

(Corresponds to 1997 Waterfront Plan FEIR Mitigation Measure F-1)

OPERATIONAL AIR QUALITY (Cruise Terminal Project only)

E.2 The project sponsor shall implement a trip reduction plan that includes some or all of the following standard BAAQMD measures, as determined feasible and appropriate. Each standard BAAQMD measure is in italics (with the estimated effectiveness at trip reduction indicated in parentheses), followed by the specific measure recommended for the proposed project.

Transit Measures: Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc., to support expanded transit service to the site (Effectiveness 0.5 - 2% of all trips).

- The project sponsor will pay the Transit Impact Development Fee for new office space as required by Chapter 38 of the San Francisco Administrative Code to improve the local transit infrastructure.

- Adequate taxi and bus parking and passenger loading facilities should be provided as part of the project.

- Provide workers with transit use incentives.

- Provide transit information at information booths in shopping areas and on recorded telephone announcement, and encourage individual stores to provide such information, both in person and by telephone. Arrange for the sale of MUNI Fast Passes and, potentially, other transit passes and tickets, at strategic locations around the project.

- Develop brochures, information packets, and/or an internet web page providing full information on transit access to the project site. Ensure that ship passengers are informed of transit opportunities, and provide maps and schedule information.

- Provide a location for a public ferry terminal to be developed or installed in the future at the Cruise Terminal project site.

Bicycle and Pedestrian Measures: (a) Provide secure, weather-protected bicycle parking for employees (Effectiveness 0.5 - 2% of work trips); (b) Provide safe, direct access for bicyclists to adjacent bicycle routes (Effectiveness 0.5 - 2% of work trips); (c) Provide showers and lockers for employees bicycling or walking to work (Effectiveness 0.5 - 2% of work trips); (d) Provide secure short-term bicycle parking for retail customers or non-commute trips (Effectiveness 1 - 2% of non-work trips); (e) Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development (Effectiveness 0.5 - 1.5% of all trips).

- The project sponsor will provide secure, covered bicycle parking at a ratio of one bike space for every twenty car spaces. This parking will be located in a well-lighted area as close as possible to residences and shops.

- The project will be easily accessed from an N-Judah MUNI Metro stop located less than 500 feet south of the project site. .

Provide sidewalks and/or paths, connected to adjacent land uses, transit stops, and/or community-wide network (Effectiveness 0.1 - 1% of all trips).

- With the implementation of The Embarcadero Roadway project, a 25-foot promenade was established along the waterside and a 10-foot sidewalk was provided along the inland side of The Embarcadero. This wide walkway along the water's edge in combination with a standard sidewalk along the inland roadway would provide adequate capacity to meet the pedestrian demands during the peak demand periods.

Rideshare Measures: Implement carpool/vanpool program (e.g., carpool ride-matching for employees, assistance with vanpool formation, provision of vanpool vehicles, etc.) (Effectiveness 1 - 4% of work trips).

- Provide ride-matching service to employees to aid in the formation of carpools. This could be a contracted service provided by an outside agency.

Services Measures: (a) Provide on-site shops and services for employees, such as food service, bank/ATM, dry cleaners, etc. (Effectiveness 0.5 - 5% of work trips); (b) Provide on-site child care, or contribute to off-site child care within walking distance (Effectiveness 0.1 - 1% of work trips).

- Ensure that the retail tenant mix includes convenience services for project employees.

Parking Measures: Provide preferential parking for carpool and vanpool vehicles (Effectiveness 0.5 – 1.5% of work trips).

- Provide preferential carpool and vanpool parking for employees. These spaces should be the ones most conveniently located to the work areas. *(Corresponds to 1997 Waterfront Plan FEIR Mitigation* Measure *F-2)*

J. OTHER ENVIRONMENTAL ISSUES ADDRESSED IN THE 1997 WATERFRONT PLAN EIR

MITIGATION MEASURES

BIOLOGY (Both Projects)

Mitigation Measure H-1 of the 1997 Waterfront Plan FEIR is incorporated herein by reference (see page 5 of Appendix F for the text of the measure).

GEOLOGY, SOILS, AND SEISMICITY (Cruise Terminal Project only unless otherwise indicated)

Mitigation Measures I-1, I-3, I-4 (*both projects*), I-5, I-7, I-8, I-9 (*both projects*), I-10 (*both projects*), and I-11 (*both projects*) of the 1997 Waterfront Plan FEIR are incorporated herein by reference (see pages 6 through 15 of Appendix F for the text of the measures).

CHAPTER V

SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROPOSED PROJECTS ARE IMPLEMENTED

In accordance with Section 21067 of the California Environmental Quality Act (CEQA), and with Sections 15040, 15081 and 15082 of the State CEQA Guidelines, the purpose of this chapter is to identify impacts that could not be eliminated or reduced to an insignificant level by mitigation measures included as part of each project, or by other mitigation measures that could be implemented, as described in Chapter IV, Mitigation Measures, pp. 169-177.

This chapter is subject to final determination by the Planning Commission as part of its certification process for the SEIR. The Final SEIR will be revised, if necessary, to reflect the findings of the Commission.

The Brannan Street Wharf project would not result in any significant impacts. With the implementation of the mitigation measures outlined in Chapter IV, Mitigation Measures, pp. 169-177, most potential significant impacts associated with the Cruise Terminal project would be reduced to a less-than-significant level, with the following exceptions:

1. The project would result in the degradation of level of service to unacceptable levels under Existing Plus Project conditions at the intersections of The Embarcadero/Bryant (AM and PM peak hours) and Second/King (PM peak hour), Third/King (AM and PM peak hours), Harrison/First (PM peak hour), and Harrison/Fremont (PM peak hour).

2. The project would contribute substantially to the degradation of level of service to unacceptable levels under Cumulative 2020 conditions at the intersections of The Embarcadero/Bryant (PM peak hour) and The Embarcadero/Howard (PM peak hour), The Embarcadero/Folsom (PM peak hour), The Embarcadero/Brannan (AM and PM peak hours), Harrison/Fremont (PM peak hour), Harrison/First (PM peak hour), Second/King (PM peak hour), and Third/King (AM and PM peak hours).

3. The project would result in regional criteria air pollution as a result of the project's operational emissions from cruise ships and vehicle trips that would increase in number as a direct result of the proposed project.

4. The project would result in cumulative regional air pollution conditions as a result of the project's operational emissions from cruise ships and vehicle trips.

CHAPTER VI
ALTERNATIVES TO THE PROPOSED PROJECTS

This chapter identifies alternatives to the proposed Cruise Terminal and Brannan Street Wharf projects and discusses the environmental impacts associated with each alternative. City decision-makers could adopt any of the following alternatives, if feasible, instead of approving the proposed projects.

The alternatives described in this chapter include a No Project Alternative, as required by CEQA Guidelines Section 15126.6(e), and one or two other alternatives (depending upon the project) that would avoid or lessen, to at least some degree, each of the project's significant adverse effects while at the same time attempting to at least partially achieve the project sponsor's basic objectives (CEQA Guidelines, Section 15126.6(c)). The degree to which each alternative "avoids or substantially lessens" the project's significant impacts and the degree to which the alternative meets the project sponsor's objectives will be considered by the City decision-makers in their consideration of the each project.

A. CRUISE TERMINAL PROJECT

1. ALTERNATIVES CONSIDERED BUT REJECTED

ALTERNATIVE SITES

In the course of the Port of San Francisco's (the Port) effort to determine the most appropriate location for a new cruise terminal, two sites other than the project site were analyzed for their suitability.[37] Pier 35, the location of the existing cruise terminal, and Piers 27-29, were considered and are discussed below.

PIER 35 – EXISTING CRUISE TERMINAL LOCATION

The existing cruise terminal is located at Pier 35, which is situated immediately south of the Pier 39 breakwater at the intersection of The Embarcadero and Kearny Street, just less than two miles from Pier 30-32. Based on an analysis of future cruise ship industry market conditions and the physical requirements necessary for servicing the industry, the Port found the existing terminal and Pier 35 location to be inadequate for a number of reasons. Primarily, although the pier provides two berths, one 1,053 feet long and one 903 feet long, maneuverability into the berths is severely limited because of the location of the Pier 39 breakwater on the west and Pier 33 on the east, and will become impossible at the

[37] This discussion is entirely based on the San Francisco Port Commission report, *Alternative Sites for the James Herman Cruise Ship Terminal*, September 2, 1998.

west berth and more problematic at the east berth as cruise ships get bigger. Maintenance of these berths has also proven to be costly, as some dredged material must be disposed of in landfills because it is "unsuitable" for in-bay disposal and both berths have a continuous build-up of material.

At approximately 32,000 square feet, the existing terminal cannot house all necessary components of a redesigned modern cruise terminal. This terminal is also too small to efficiently accommodate 6,000 passengers at one time. In addition, the existing sheds on the pier are not tall enough to service newer, taller ships. Other problems with the pier include: inadequate dockside facilities, particularly the 18-foot wide aprons (the industry standard is 50 feet); a difficult to set up security and customs system; insufficient vehicular circulation, including inadequate bus and taxi waiting areas and lack of defined passenger pick-up/drop-off areas; a lack of additional space for development of mixed uses (the adjacent Seawall Lot 314 is only 0.7 acres in size); and no space for new public access and viewing areas.

As mentioned, the most severe of the problems with Pier 35 is related to the narrow width of the pier. Although the Port's Waterfront Plan suggested incorporating Pier 33 into a larger cruise terminal project, such a project would be extremely costly and would not result in an efficient terminal layout. For the above reasons, the Port determined that Pier 35 would be inadequate to meet its objectives with regard to attracting and servicing the cruise industry to San Francisco.

PIERS 27 AND 29

Piers 27 and 29 are located at the base of Lombard and Chestnut Streets at The Embarcadero, in the Northeast Waterfront, about 1.75 miles north of Pier 30-32. Both piers are currently occupied by a variety of short-term tenants. In addition, Pier 27 is used by a tugboat operator and one of the U.S. Maritime Administration's ready reserve force ships.

Together, the piers offer nearly 650,000 sq. ft. of space, and two berths. The south berth, along Pier 27, is 1,358 feet long, while the north berth, along Pier 29, is 801 feet long. The south berth would be able to accommodate the largest cruise ships, but the north berth could do so only if part of the bulkhead building between Piers 29 and 31 were removed and/or the pier extended. Further, part of Pier 31 would potentially have to be removed to berth larger ships at Pier 29. The 48-foot wide apron at Pier 27 would be adequate for dockside activities, but the 32-foot Pier 29 apron would likely require rebuilding or an extension, thus adding fill to the Bay, to provide adequate space. The existing two shed buildings on the piers are large enough to provide adequate terminal facilities and separate, secure areas for customs. Because the Pier 29 Bulkhead Building and Connector Building are historically important, and the Pier 31 shed building may have historical significance, these buildings would have limitations on the degree and manner in which they could be altered. While BCDC would consider dredging at Piers 27-29 to be maintenance dredging that is permitted under the Port's existing BCDC and Army Corps maintenance dredging permits, the quantities required on an ongoing basis to maintain adequate berth depths would be more than double that required at Pier 30-32.

Piers 27 and 29 have limitations with regards to parking and circulation. Because there are two northbound lanes on The Embarcadero in front of this site, there is no on-street parking. Similarly, there is not any room for bus or taxi waiting along The Embarcadero. Parking and bus and taxi waiting could be accommodated in the triangular area between the two piers, but loading and passenger circulation would likely be inefficient.

Through negotiations with BCDC, the inland end of Pier 27 has been designated as the future site of the Northeast Wharf Plaza, a major public open space that would require removal of part of the Pier 27 shed. Such a use would pose provisioning, security and operational concerns for the cruise terminal and could make docking more difficult.

A more serious limitation of this site is the lack of vacant seawall lots immediately adjacent to it where commercial development could be programmed. Seawall Lots 318 and 319, relatively small lots directly across The Embarcadero from the piers, are already developed with commercial uses and open space. While use of the Pier 30-32 site for the cruise terminal would allow for development on the adjacent 2.8-acre Seawall Lot 330 that would create uses on both sides of The Embarcadero that complement one another and attract people to the water, Piers 27 and 29 do not offer such an opportunity.

Based on an amended Request for Proposal issued by the Port on August 31, 2000, the Port Commission has entered into exclusive negotiations with the Mills Corporation to develop Piers 27-31 as a mixed-use commercial and recreational project. Selection of the Mills Corporation occurred on April 18, 2001.

CRUISE TERMINAL PROJECT ONLY (NO SEAWALL LOT DEVELOPMENT)

Consideration of a development scenario in which only the Pier 30-32 component of the Cruise Terminal project would be implemented was rejected for two primary reasons: 1) the Port's Waterfront Plan establishes the importance of mixed-use development, particularly through grouping piers and adjacent seawall lots; and 2) the Port determined that space for non-cruise terminal related uses is required to finance development of the cruise terminal.

According to its discussion of Mixed Use Opportunity Areas, the Waterfront Plan "strongly encourages that, where feasible and consistent with BCDC and the Public Trust, new commercial development on piers should be part of mixed use developments which include maritime, open space and public access activities, and which bring day and nighttime activity to the waterfront." In cases where future Port development sites would include only a single use, the Waterfront Plan indicates that "the goal is to have different types of uses on nearby sites so that a mix of uses can be achieved in the greater area." "If planned and executed in a coordinated fashion, this flexible, mixed use development approach offers excellent opportunities to reunite the City with a diversity of waterside attractions and amenities."

According to the staff report prepared for the Port Commission regarding selection of the Pier 30-32 site for development of the Cruise Terminal project, one of the requirements for development of a modern cruise terminal is a mix of uses. More specifically, the report states that there is requirement for "Space

for major revenue-generating mixed use commercial development immediately adjacent to or near the terminal to help support the cost of the terminal and enliven the terminal when ships are not in port." The report goes on to say that the "availability of Seawall Lot 330 for a mixed-use development, along with the potential for other commercial uses on the pier itself, make Pier 30-32 the most developable site from an economic and land use perspective."

As such, a development scenario in which only the Pier 30-32 component of the Cruise Terminal project would be implemented was rejected.

CRUISE TERMINAL WITH ONLY ONE CRUISE SHIP BERTH

According to the *Alternative Sites for the James Herman Cruise Ship Terminal* report prepared by Port staff, based primarily on cruise industry trends and an assessment of cruise terminals in other cities, two berths are required for a new, modern cruise terminal. More specifically, a new terminal requires two berths of at least 1,000 feet in length and 35 feet in depth, preferably that require little or no dredging, allow safe and easy maneuvering of cruise ships and tug boats, and at least one of which is oriented parallel to the shore to provide for more efficient docking and operation. Based on this finding, development of a Cruise Terminal project with only one berth was rejected.

2. NO PROJECT ALTERNATIVE

DESCRIPTION

Under the No Project Alternative, the project site (both Pier 30-32 and Seawall Lot 330) would remain in its existing condition. No new development would take place on the site and no changes to the existing pier structure would occur. Both components of the project site would continue their current uses. However, this alternative would not preclude future proposals for redevelopment of the project site. Given the site's identification in the Port's Waterfront Plan as a "Mixed Use Opportunity Area," it could reasonably be expected that subsequent development proposals would be considered and/or implemented on the site. Further, it is anticipated that without construction of the cruise terminal proposed as part of the Cruise Terminal project, the Port could still potentially experience an increase in the number of cruise ship calls at Pier 35 from 40 ships in 2000 to 69 ships in 2004 and potentially further increases into the foreseeable future.[38]

IMPACTS

Because this alternative would not result in any physical changes to the project site, no effects would occur to land use, views, or other aspects of visual quality (these impacts all would be less-than-significant with the project). This alternative would result in no increase in vehicle travel or transit use in

[38] *Market Research for James R Herman Cruise Terminal San Francisco, California, USA*, May, 2000, G.P. Wild International and Larry Dessler Associates.

the project vicinity, as would occur with implementation of the proposed project. Under this alternative, some or all of the expected increase from 40 to 69 in ship calls would likely still occur at Pier 35, thereby resulting in related increases in vehicle trip generation, parking and loading demand, transit use, and pedestrian and bicycle traffic. These effects would, however, be concentrated in the vicinity of Pier 35 and would not affect the project site or vicinity. As such, there would be no project site-specific effects on intersection conditions, transit use, parking, loading, or pedestrian or bicycle traffic. Significant intersection level of service impacts that would occur as a result of the project in the Existing Plus Project and cumulative conditions, would not occur. Local transit operating conditions that would be significantly impacted under cumulative conditions by the proposed project would not occur. This alternative would not result in the loss of the existing 800 parking spaces on the project site.

Under the No Project alternative, there would be no effect on shadows or wind speeds on surrounding streets, sidewalks, and publicly accessible open spaces. Conditions in the immediate future would reflect conditions described in the setting sections of this report. Similarly, this alternative would not result in new effects related to hazardous materials. Air quality effects associated with project construction and increased traffic in the project vicinity would be avoided, although some of the related additional traffic and associated air quality impacts would instead occur in the vicinity of Pier 35. However, the expected increase in ship calls, while less than would occur with the proposed project, would still result in significant regional and cumulative air quality effects.

The No Project Alternative would not meet any of the project sponsor's objectives, with the exception of the objective related to providing parking on the waterside of the site. Furthermore, the No Project Alternative, in contrast to the project, would not promote objectives and policies of the Port's Waterfront Plan related to construction of a new cruise terminal and provision of waterfront open space and additional public access, amongst others.

The No Project Alternative would be environmentally superior to the project because it would avoid the environmental impacts of the project. Should this alternative ultimately result in future construction of a new mixed-use cruise terminal project on all or part of the project site, effects would be similar in nature to those identified for the project, with the degree of impact largely determined by the size of the proposed development. Such a subsequent development proposal would be subject to project-specific environmental review when proposed.

3. SEAWALL LOT HOTEL ALTERNATIVE

DESCRIPTION

Under the Seawall Lot Hotel Alternative, development on Pier 30-32 would be nearly identical to that proposed as part of the project, but development on the seawall lot would involve construction of a hotel

rather than residential condominiums.[39] Under this alternative, the cruise terminal/mixed-use program proposed for Pier 30-32 would provide 550 parking spaces instead of 450 spaces, but would otherwise have the identical plan layout, distribution of uses, architecture, circulation system, public access, building heights, and berth configuration as the proposed project.

With respect to the seawall lot, this alternative would have a substantially different program than the proposed project that would include: a 400-room hotel plus 111 time-share units, rather than 350 residential condominiums; 190 parking spaces, rather than 350 spaces; and 1,500 sq. ft. of ground-floor retail, rather than no retail space. The site plan would also differ substantially in that it would be designed with a tower at each of the three corners (105-feet tall at Bryant/Beale Streets and Bryant Street/The Embarcadero, 80 feet at Beale Street/The Embarcadero) connected by lower buildings, all oriented around a large central courtyard. The building along Beale Street would be 55-feet tall, while the buildings fronting The Embarcadero and Bryant Street would be 80-feet tall. As such, in contrast to the proposed project that would have buildings as tall as 187 feet, the building heights under this alternative would not exceed the Planning Code limit of 105 feet. This alternative also would not require a land exchange and sale.

IMPACTS

Because this alternative would include seawall lot buildings that would comply with that property's height and bulk limits, this alternative would not require an exception to the Bulk District F limits or require a height reclassification to exceed 105 feet. Like the proposed project, this alternative would not result in significant effects to views or any other aspect of visual quality. This alternative would involve a different layout of buildings on the seawall lot, including two towers (at the northeast corner and western corner of the site) that would be noticeably shorter and therefore would result in improved views for some private residences, including some of the units on the upper floors of the Portside Condominiums development (to the northwest) and the Bayside Village development (to the west). The decreased height of development on the seawall lot would not, however, substantially improve views from public rights of way, looking either east (towards the waterfront) or west (from the waterfront) back to the seawall lot.

With respect to traffic, as with the proposed project, this alternative would generate the greatest number of PM peak hour trips on a typical Off-Season day. There would be a reduction of approximately 240 person trips (a five percent reduction in total person trips) during the Off-Season, which would translate to a reduction of about 85 PM peak hour vehicle trips. This alternative would therefore generate 84% to 89% of the net weekday PM peak hour vehicle trips generated by the proposed project for the three analysis conditions (Base Case, Cruise Season, and Off-Season). While this reduction in trips would provide some relief to traffic congestion, the reduction in trips would not be enough to eliminate any of the identified significant intersection impacts of the proposed project. Similarly, the reduction in transit

[39] This alternative represents the development scenario originally proposed in SFCT's response to the Port's Request for Proposal's for the project site.

trips would be about two percent, and therefore it would not eliminate the significant cumulative local transit impact that would occur under the proposed project.

In terms of parking, this alternative would result in the loss of the existing 800 parking spaces on the project site as would the proposed project. This alternative's shortfall of Code-required parking would be about 260 spaces less than the proposed project shortfall under each of the scenarios. The maximum parking shortfall would occur during the Off-Season, with a shortfall of about 1,055 spaces. When comparing parking demand to parking supply under each of the scenarios, the parking shortfall would range from 575 spaces in the Base Case to 840 spaces during the Cruise Season. This would be a reduction in the shortfall of 275 to 295 spaces when compared to the proposed project. When taking shared parking into account, the parking demand shortfall would be 325 to 460 spaces, or a decrease in the shortfall by 315 to 335 spaces when compared to the proposed project. As such, under this alternative, like the proposed project, an exemption from the parking requirement on Pier 30-32 would be required and no significant parking impact would occur. Potentially significant impacts associated with loading and pedestrian movement would not substantively differ from those under the proposed project and could similarly be mitigated with the mitigation measures identified for the project. Like the project, no significant bicycle impacts would occur under this alternative.

Because this alternative would result in the same amount of impervious surfaces and would have similar uses as the proposed project, stormwater runoff and sewer system (including CSO) effects would be nearly identical to those of the proposed project, so would also be less than significant. Similarly, shipping related effects on water quality, effects from dredging for the two berths, and impacts from land-based and water-based construction activities would be identical to those of the proposed project.

Like traffic effects, air quality effects under this alternative would be slightly better than with the proposed project, but would not result in any perceivable differences. Ship related emissions would be identical to those of the proposed project and vehicle emissions from the slight decrease in vehicle trips would be essentially the same. Therefore, the two significant impacts identified for the proposed project on regional air quality and cumulative regional air quality would remain significant, even with mitigation. Local and pollutant concentrations and construction-related air effects (with implementation of the mitigation identified for the project) would be very similar to those of the proposed project and therefore would remain less than significant.

Although under the Seawall Lot Hotel Alternative building forms and heights would be different (generally smaller) on the seawall lot compared to the proposed project, the effect on shadows cast by buildings on that site would not change substantively. Shadows cast by the tower at the western corner of the site would be shorter, particularly in the morning hours year-round, and like the proposed project would have very limited less-than-significant effects. Similarly, while the different seawall lot building forms would result in slightly different wind speeds at particular points, the average wind speeds for the entire site would remain unchanged and effects would still be less than significant. Shadow and wind effects on Pier 30-32 would be nearly identical to those of the project.

The Seawall Lot Hotel Alternative would generally meet the project sponsor's objectives. This alternative, as with the project, would promote objectives and policies of the Port's Waterfront Plan related to construction of a new cruise terminal and provision of waterfront open space and additional public access, amongst others.

4. PIER 30-32 REDUCED INTENSITY ALTERNATIVE

DESCRIPTION

Under the Pier 30-32 Reduced Intensity Alternative, development on the seawall lot would be very similar to that proposed as part of the project, but development on Pier 30-32 would involve construction of a substantially reduced scale cruise terminal and commercial program. Under this alternative, the seawall lot program would be identical to that of the project (350 residential units and 350 parking spaces), but the building heights and bulk would differ such that they would be entirely consistent with the property's height and bulk requirements. As such, in contrast to the project, which would include buildings on the seawall lot as tall as 187 feet and therefore require an exception to the bulk limits and a height reclassification, under this alternative all of the buildings on the seawall lot would comply with 105-F Height and Bulk district limits.

With respect to Pier 30-32, this alternative would have an identical program to that of the proposed project, only that each of the uses would be substantially reduced. Most of the uses would be half the size of those proposed for the project, except for the cruise terminal, which would be slightly larger than half the size, and the office component, which would be about two-thirds the size. As such, this alternative would include: a 60,000 sq. ft. terminal with 12,000 sq. ft. of event space and one cruise ship berth (on either the east or north side of the pier) rather than a 100,000 sq. ft. terminal with 20,000 sq. ft. of event space and two berths; 230,000 sq. ft. of office space compared to 370,000 sq. ft.; 110,000 sq. ft. of retail (with each retail use correspondingly halved) rather than 220,000 sq. ft.; and 275 parking spaces rather than 450 spaces. The result would be a site plan nearly identical to that of the project, but with the exception of the cruise terminal, all of the buildings would be two levels and approximately 35 feet tall rather than 46 feet tall. The cruise terminal would provide less office space, but similar to the project, would range in height from 46 to 88 feet. The circulation system would generally be the same as with the proposed project, as would the open space/public access elements of the design.

The Pier 30-32 Reduced Intensity Alternative would be the environmentally superior alternative, as required by *CEQA Guidelines* Section 15126.6(e)(2).

IMPACTS

Because this alternative would include seawall lot buildings that would comply with that property's height and bulk limits, this alternative would not require an exception to the Bulk District F limits or require a height reclassification to exceed 105 feet. Similarly, because this alternative would include pier

buildings that would not exceed 40 feet, no height reclassification would be required for the pier development. Like the proposed project, this alternative would not result in significant effects to views or any other aspect of visual quality. This alternative would involve slightly shorter buildings on the pier and noticeably lower towers at the western and northeastern corners of the seawall lot, and therefore would potentially result in improved views from some private residences, including some of the units on the upper floors of the Portside Condominiums development (to the northwest) and the Bayside Village development (to the west). The decreased height of development on the seawall lot and pier would not, however, substantially improve views from public rights of way, looking either east (towards the waterfront) or west (from the waterfront) back to the seawall lot.

The Pier 30-32 Reduced Intensity Alternative would involve use of only one cruise ship berth. If only the northern berth were used (which is less likely than only the eastern berth being used due to the cruise industry preference for docking parallel to shore), on the approximately 70 to 85 days per year when a ship would be docked at the site, views to the Bay would be improved compared to the proposed project (which would otherwise have ships docked in the eastern berth). If only the eastern berth were used, conditions would be more similar to the proposed project, but views would be slightly improved looking north from The Embarcadero south of the project site towards the Bay Bridge. The decreased height of development on the pier would not substantially improve views looking eastward towards the Bay and would not allow for greater visibility of the Bay itself from public rights-of-way, particularly on days when a cruise ship would be docked in the eastern berth. Some private residences on the upper floors of nearby buildings that would not have their views impeded by development on the seawall lot would potentially have slightly improved views of the waterfront (looking east) as a result of the shorter buildings on the pier.

With respect to traffic, of the three scenarios analyzed, this alternative would generate the greatest number of PM peak hour trips on a typical Cruise Season day with one cruise ship at port. The 3,217 PM peak hour person trips during the Cruise Season would be about 2,275 fewer PM peak hour trips, or 41 percent less, than for the project. This alternative would therefore generate 43% to 48% of the net weekday PM peak hour vehicle trips as would the proposed project for the three analysis conditions (Base Case, Cruise Season, and Off-Season). The reduction in vehicle trips under this alternative would eliminate significant traffic impacts at the Second/King and Third/King intersections under Existing Plus Project conditions, as neither intersection would degrade from LOS D to LOS E as they would with the proposed project. While the reduction in trips would also provide some relief to congestion at other intersections, the reduction would not be enough to eliminate any of the other project-identified significant intersection impacts. The reduction in transit trips would be about 46 percent, and therefore would eliminate the significant cumulative local transit impact that would occur under the proposed project.

As there would only be one cruise ship berth under this alternative, the number of occasions on which one ship would be in port at Pier 30-32 would potentially increase (as a result of scheduling changes to accommodate more ships), but there would not be occasions when two ships would berth at Pier 30-32. It

is likely that under this alternative nearly the same total number of ship calls would occur at the Port, but those calls (and their related traffic impacts) would be dispersed between the project site and, most likely, Pier 35 (where cruise ships currently call) rather than all at the project site. However, the majority of calls would still occur at Pier 30-32.

In terms of parking, the Pier 30-32 Reduced Intensity Alternative would result in the loss of the existing 800 parking spaces on the project site as would the proposed project. The greatest Code-required parking shortfall would occur during the Off-Season, with a shortfall of about 645 spaces (compared to 1,312 with the project), and would lessen to a shortfall of 590 spaces under Base Case conditions (compared to 1,221 with the project). When comparing parking demand to parking supply under each of the scenarios, the parking shortfall would range from 435 spaces in the Base Case to 700 spaces during the Cruise Season. This would be a reduction in the shortfall of about 435 spaces when compared to the proposed project. When taking shared parking into account, the parking demand shortfall would be 330 to 465 spaces, or a decrease in the shortfall by about 330 spaces when compared to the proposed project. As such, under this alternative, like the proposed project, an exemption from the parking requirement on Pier 30-32 would be required and no significant parking impact would occur. Potentially significant impacts associated with loading and pedestrian movement would not substantively differ from those under the proposed project and could similarly be mitigated with the mitigation measures identified for the project. Like the project, no significant bicycle impacts would occur under this alternative.

Because this alternative would result in the same amount of impervious surfaces as the proposed project, stormwater runoff effects would be nearly identical to those of the proposed project. Because this alternative would have substantially less space devoted to office, retail/entertainment, and cruise terminal uses than the project, its sewer flow would be less, but not enough to change substantially the overall contribution to the combined system. Like the project, this alternative's CSO effects would be less than significant.

Similarly, shipping related effects on water quality (assuming fewer calls at the project site but about the same total number of calls to the Port) and impacts from land-based and water-based construction activities would be identical to those of the proposed project. Because this alternative would include only one berth, dredging effects would differ from the proposed project. If only the east berth were to be used, it is likely that little or no additional dredging would need to occur because of that berth's adequate existing and anticipated future depth. If the north berth were used, the amount of dredging and the nature of related effects would be similar to those associated with the proposed project.

Like traffic effects, air quality effects under this alternative would be considerably less than the proposed project, but would not result in any perceivable differences. Ship related emissions would be nearly identical to those of the proposed project and vehicle emissions from the decrease in vehicle trips would not be substantial enough to lessen the related adverse effects. Therefore, the two significant impacts identified for the proposed project on regional air quality and cumulative regional air quality would remain significant, even with mitigation. Local and pollutant concentrations and construction-related air

effects (with implementation of the mitigation identified for the project) would be slightly less than those of the proposed project and therefore would improve and remain less than significant.

Although under the Pier 30-32 Reduced Intensity Alternative building forms and heights would be different (generally smaller) on the seawall lot and Pier 30-32 compared to the proposed project, the effect on shadows cast by buildings on that site would not change substantively. Shadows cast by the tower at the western corner of the site would be shorter, particularly in the morning hours year-round, and like the proposed project would have very limited less than significant effects. Similarly, while the different seawall lot building forms would result in slightly different wind speeds at particular points, the average wind speeds for the entire site would remain unchanged and effects would still be less than significant. Shadow and wind effects on Pier 30-32, despite lower buildings, would be very similar to those of the project.

The Pier 30-32 Reduced Intensity Alternative would meet some of the project sponsor's objectives, including those related to providing a mixed-use development at this location, complementary landside development, adequate parking facilities, and distinctive architecture. Most of the other sponsor's objectives would be partially achieved, although to a lesser degree than would the proposed project, except for the berthing facilities. For example, according to the Port's requirements, the Port's primary goal, creation of a state-of-the-art cruise terminal that would adequately accommodate cruise industry growth, could not be achieved with one berth or a terminal substantially smaller than 100,000 sq. ft. Objectives related to the provision of waterfront commercial, recreational and retail uses would all be achieved, but possibly less effectively as a result of the reduced intensity of those uses. The objective that would most obviously be compromised by this alternative would be that which addresses the effort to create a financially sound project. Although this alternative could physically be constructed, as a result of the greatly reduced potential revenue that such a development would provide to the project sponsor, including both the private development interests and the Port, it is unlikely that either component of the project sponsor team would determine it worthwhile to do so.

5. SEAWALL LOT REDUCED INTENSITY ALTERNATIVE

DESCRIPTION

Under the Seawall Lot Reduced Intensity Alternative, development on Pier 30-32 would be identical to that proposed as part of the project, but development on Seawall Lot 330 would involve construction of reduced-scale residential buildings with substantially fewer residential units. Under this alternative, the seawall lot program would involve construction of 200 residential units (150 fewer units than the proposed project) and 200 parking spaces (150 spaces fewer than the proposed project). To minimize the disruption of south- and east-looking views from private residences along Beale and Bryant Streets across from the site, the site plan for the seawall lot would also differ in that it would have the largest buildings at the western corner and in the middle of the property, while minimizing the height and bulk of buildings along the northeastern and southeastern edges of the property. In contrast to the project, this

alternative would not include buildings taller than 105 feet tall and would fully comply with the site's 105-F Height and Bulk district requirements.

IMPACTS

Because this alternative would include seawall lot buildings that would comply with that property's height and bulk limits, this alternative would not require an exception to the Bulk District F limits or require a height reclassification to exceed 105 feet.

Like the proposed project, this alternative would not result in significant effects to views or any other aspect of visual quality. The reoriented site plan with an overall decreased height of development on the seawall lot would not substantively improve views from public rights of way, looking either east (towards the waterfront) or west (from the waterfront) back to the seawall lot. Some private residences on the upper floors of nearby buildings that would not otherwise have their views impeded by development on the pier would likely have improved views of the waterfront (looking east and southeast) as a result of the shorter buildings on the seawall lot.

With respect to traffic, of the three scenarios analyzed, this alternative would generate the greatest number of PM peak hour trips on a typical Off-Season day. The 5,265 PM peak hour person trips during the Off-Season would be about 235 fewer PM peak hour person trips, or four percent less, than for the project, which would translate to a reduction of about 60 PM peak hour vehicle trips. This alternative would therefore generate 92% of the net weekday PM peak hour vehicle trips as would the proposed project for each of the three analysis conditions (Base Case, Cruise Season, and Off-Season). While this reduction in trips would provide some relief to traffic congestion, it would not be enough to eliminate any of the project-identified significant intersection impacts. The reduction in transit trips would be about three percent, and therefore would not eliminate the significant cumulative local transit impact that would occur under the proposed project.

In terms of parking, the Seawall Lot Reduced Intensity Alternative would result in the loss of the existing 800 parking spaces on the project site as would the proposed project. Under this alternative, the shortfall of Code-required parking would be nearly identical to that of the proposed project for each of the scenarios. As such, the greatest Code-required parking shortfall would occur during the Off-Season, with a shortfall of about 1,312 spaces, and would lessen to a shortfall of 1,221 spaces under Base Case conditions, the same as with the project. When comparing parking demand to parking supply under each of the scenarios, the parking shortfall would be about 40 spaces less than that of the proposed project, ranging from 825 spaces in the Base Case to 1,090 spaces during the Cruise Season. When taking shared parking into account, the parking demand shortfall would be about 615 to 750 spaces, or a decrease in the shortfall by about 42 spaces when compared to the proposed project As such, under this alternative, like the proposed project, an exemption from the parking requirement on Pier 30-32 would be required and no significant parking impact would occur. Potentially significant impacts associated with loading and pedestrian movement would not substantively differ from those under the proposed project and could

similarly be mitigated with the mitigation measures identified for the project. Like the project, no significant bicycle impacts would occur under this alternative.

Because this alternative would result in the same amount of impervious surfaces as the proposed project, stormwater runoff effects would be nearly identical to those of the proposed project. Because this alternative would have fewer residential units than the project, its sewer flow would be less, but not enough to change substantially the overall contribution to the combined system. Like the project, this alternative's CSO effects would be less than significant.

Because development on Pier 30-32 would be identical to that of the project, shipping related effects on water quality, impacts from land-based and water-based construction activities, and impacts from cruise berth dredging would be identical to those of the proposed project.

Like traffic effects, air quality effects under this alternative would not be noticeably better than with the proposed project, and would not result in any perceivable differences. Ship related emissions would be identical to those of the proposed project and vehicle emissions from the decrease in vehicle trips would not be substantial enough to lessen the related adverse effects. Therefore, the two significant impacts identified for the proposed project on regional air quality and cumulative regional air quality would remain significant, even with mitigation. Local and pollutant concentrations and construction-related air effects (with implementation of the mitigation identified for the project) would improve and remain less than significant.

Although under the Seawall Lot Reduced Intensity Alternative building forms and heights would be different (generally smaller) on the seawall lot compared to the proposed project, the effect on shadows cast by buildings on that site would not change substantively. Shadows cast by the tower at the western corner of the site would be shorter, particularly in the morning hours year-round, and like the proposed project would have very limited less than significant effects. Similarly, while the different seawall lot building forms would result in slightly different wind speeds at particular points, the average wind speeds for the entire site would likely remain unchanged and effects would still be less than significant. Shadow and wind effects on Pier 30-32 would be identical to those of the project.

The Seawall Lot Reduced Intensity Alternative would meet some of the project sponsor's objectives, including those related to providing a mixed-use development at this location, a new cruise terminal, berthing facilities, office and retail space, commercial recreation and entertainment opportunities, adequate parking facilities, and distinctive architecture. With regard to the sponsor's objective to create complementary landside development that provides patronage to the waterside development, this alternative would result in fewer people living on the seawall lot and therefore fewer people to patronize uses on the pier. A smaller development program on the seawall lot would achieve to a lesser degree the sponsor's objectives to provide a financial subsidy to the Port. As this alternative would develop 200 rather than 350 residential units, this alternative would achieve to a lesser degree the sponsor's objective to create additional market-rate and affordable homes in the South Beach area.

B. BRANNAN STREET WHARF PROJECT

1. NO PROJECT ALTERNATIVE

DESCRIPTION

Under the No Project Alternative, the project site would remain in its existing condition. No new development would take place on the site and no changes to the existing Pier 36 or marginal wharf would occur. Both components of the project site would continue their current uses. As discussed above in Chapter II, implementation (including schedule and design parameters) of the Brannan Street Wharf project, as prescribed by Assembly Bill 1389, is linked to development of the Cruise Terminal project. As such, the No Project Alternative would only occur if the Cruise Terminal project were not implemented (the equivalent of the Cruise Terminal No Project Alternative). Given the site's identification in the Port's Waterfront Plan as a "Mixed Use Opportunity Area," under this alternative, the Wharf project could potentially still be constructed either in connection with a separately approved Port project or independently (although funding the project on its own would likely be difficult).

IMPACTS

Because this alternative would not result in any physical changes to the project site, any public land use benefits associated with the project, including increased access to the waterfront and the creation of additional recreational space, would not occur. Similarly, the visual benefits that would occur as a result of the project's demolition of an existing pier (including the structure located on it), expansion of an open water basin, and construction of green open space, would not occur. Land use and visual effects nonetheless be less than significant under this alternative.

Because the Wharf project is not considered an independent trip generator and would have no traffic effects, the No Project Alternative similarly would have no traffic impacts. The No Project Alternative would not, however, involve demolition of Pier 36 and the structure on it currently used by a moving company. As such, this alternative, unlike the proposed project, would not disrupt the existing minimal traffic flow to and from the Pier 36 component of the project site. All other aspects of transportation would be very similar to the proposed project and would be less than significant.

Like the proposed project, under the No Project alternative, there would be no effect on shadows or wind speeds. Conditions in the immediate future would reflect conditions described in the setting sections of this report. Similarly, this alternative would not result in new less than significant effects related to hazardous materials associated with construction of the proposed project. Less than significant construction-related air quality that would occur with the proposed project would not occur under this alternative. Effects associated with the construction of 45,000 sq. ft. of new wharf area, considered Bay fill, would not occur. These effects would be less than significant, as they would with the proposed project.

The No Project Alternative would not meet any of the project sponsor's objectives because it would not remove Pier 36 or create new open space/public access to and views of the Bay. Furthermore, the No Project Alternative, in contrast to the project, would not promote objectives and policies of the Port's Waterfront Plan related to construction of a new waterfront open space and providing additional public access, amongst others.

2. REDUCED FILL ALTERNATIVE

DESCRIPTION

Under this alternative, the Brannan Street Wharf open space would be constructed with a different configuration than would the proposed project. Under this alternative, some of the existing marginal wharf would be repaired (rather than removed) and the Wharf would be 1,000 feet long (parallel to The Embarcadero) and 60 feet wide. As such, the open space would be slightly larger than with proposed project (60,000 sq. ft. rather than 57,000 sq. ft.) and construction would require 35,000 sq. ft. of new pile-supported wharf area, rather than 45,000 sq. ft. as would be required to construct the proposed project. In all other respects, this alternative would be nearly identical to the proposed project.

The Reduced Fill Alternative would be the environmentally superior alternative, as required by *CEQA Guidelines* Section 15126.6(e)(2).

IMPACTS

Because this alternative would result in a public open space very similar in nature to what would be constructed as part of the proposed project, land use and visual quality effects would be very similar to those of the proposed project. As such, both would be less than significant.

Because the Brannan Street Wharf project is not considered an independent trip generator and would have no traffic effects, the Reduced Fill Alternative would similarly have no substantial traffic impacts. All other aspects of transportation would also be identical to the proposed project and would be less than significant.

Like the proposed project, under this alternative, there would be no effect on shadows or wind speeds. Conditions in the immediate future would reflect conditions described in the setting sections of this report. Similarly, this alternative would result in the same less than significant effects associated with hazardous materials as the proposed project. Like the proposed project, this alternative would have short-term less than significant construction-related air quality effects. Effects associated with the construction of 35,000 sq. ft. of new wharf area, considered Bay fill, would be slightly less than those with the proposed project. As it is a policy of both the BCDC and the Port to minimize the amount of new Bay fill wherever possible, this alternative would further the achievement of that principle. These effects would be less than significant, as they would with the proposed project.

The Reduced Fill Alternative would meet all of the project sponsor's objectives. However, this alternative is not the preferred development alternative and is therefore not itself analyzed as the proposed project.

CHAPTER VII
DRAFT SEIR DISTRIBUTION LIST

A. DSEIR DISTRIBUTION

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3768-263
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3768-267
John Hopprich
403 Main St. #711N
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3768-268
Portside II LLC
403 Main St. #712N
San Francisco, CA 94105

3768-269
Mickey Pham
403 Main St. #713N
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3768-270
Robert W. Hanley
403 Main St. #714N
San Francisco, CA 94105

3768-271
Eric M. Simone
403 Main St. #715N
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3768-272
Leo L. Lam
403 Main St. #716N
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3768-273
Thomas Y. Hawkins
403 Main St. #717N
San Francisco, CA 94105

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403 Main St. #720N
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Portside II LLC
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3768-278
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403 Main St. #802N
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3768-279
Reyes Trust
C/O Edward M. Reyes Jr.
403 Main St. #803N
San Francisco, CA 94105

3768-280
A Michael Spence Revocable Trust
403 Main St. #804N
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3768-281
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403 Main St. #805N
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3768-282
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3768-243
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Occupant
403 Main St. #607N
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3768-244
George Perazzo
403 Main St. #608N
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3768-245
Gary S. Kledzik
403 Main St. #609N
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3768-246
Jeffrey C. Lindquist
403 Main St. #610N
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3768-247
Paul A. & Susan E. Matteucci
403 Main St. #611N
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3768-248
Ginlei Y & Faye Y. Liu
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Occupant
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Joan D. & Jerome J. Libera
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3768-252
Phyllis L. Gillis
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Jay & Susan M. Cabrera
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3768-260
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3768-219
Rosie M. Thompson
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3768-220
Robert G. Crooks
403 Main St. #504N
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3768-221
J. William & Susan H. Wigert Jr.
38 Bryant St. #309
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Christine B. Fliehman
403 Main St. #508N
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3768-225
Cynthia J. Frank & Lars Asbjornsen
403 Main St. #509N
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3768-226
Maria A. Ritchie
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3768-227
Jerry S. & Anastadia V. Nakamura
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3768-228
Steven Boyajian
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Eileen M. McCrystle
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3768-233
Rosie N Thompson
403 Main St. #503
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3768-233
Occupant
403 Main St. #517N
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3768-234
Raymond Wee
403 Main St. #518N
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3768-235
Reza Eskandaripour
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3768-236
Ronald B. Brown & Schyleen Qualls
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3768-239
Gerald & Nancy Bratti
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Charles Y. Lee
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3768-207
Michael Watson Trust
403 Main St. #411N
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3768-208
Steven H. & Renee Reiman
403 Main St. #412N
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3768-209
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403 Main St. #413N
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3768-214
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3768-183
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3768-187
Debra & Michael Sweet
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3768-191
Leslie Leonard
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3768-192
David A. Reid
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3768-193
Joe D. Marmeyer
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Occupant
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Portside II LLC
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Occupant
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3768-153
Gregory Klenske
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3768-154
Leslie W. Taglio
403 Main St. #118N
San Francisco, CA 94105

3768-155
Karen M. Aune & Julie Guarnotta
403 Main St. #119N
San Francisco, CA 94105

3768-156
You-Chieh Lee
403 Main St. #120N
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3768-157
John E. Schwan & Kimberly Madgett-Schwan
403 Main ST. #201N
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3768-158
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3768-159
Julian & Dorothea Roth
403 Main St. #203N
San Francisco, CA 94105

3768-160
Charles A. & Elizabeth R. Lyons
403 Main St. #204N
San Francisco, CA 94105

3768-161
Ferdinand Pulido
403 Main St. #205N
San Francisco, CA 94105

3768-162
Themios Carabas & Robert J. & Leslie Carabas
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Occupant
403 Main St. #208N
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3768-165
Hess/Scott Trust Survivor
C/O Gerrie A. Scott
403 Main St. #209N
San Francisco, CA 94105

3768-166
Jeff C. Henry
403 Main St. #210N
San Francisco, CA 94105

3768-167
Robert M. Vickers
403 Main St. #211N
San Francisco, CA 94105

3768-168
Themios & Robert J. Carabas & Leslie C
403 Main St. #206N
San Francisco, CA 94105

3768-168
Occupant
403 Main St. #212N
San Francisco, CA 94105

3768-169
Susan M. Murdy Trust
403 Main St. #213N
San Francisco, CA 94105

3768-170
Cynthia Silva
403 Main St. #214N
San Francisco, CA 94105

3768-171
Roy A. Assumpcao
403 Main St. #215N
San Francisco, CA 94105

3768-172
John P. Kelleher
403 Main St. #216N
San Francisco, CA 94105

3768-173
Suzanne M. Lock
403 Main St. #217N
San Francisco, CA 94105

3768-174
William A. & Gail N. Radzevich
403 Main St. #218N
San Francisco, CA 94105

3768-175
Fred M. & Janice L. Christ
403 Main St. #219N
San Francisco, CA 94105

3768-176
Brad A. Berglund
403 Main St. #220N
San Francisco, CA 94105

3768-134
Occupant
101 Harrison St. #302
San Francisco, CA 94105

3768-135
John Kotch IV
101 Harrison St. #303
San Francisco, CA 94105

3768-136
Portside II LLC
501 2nd St. Ste. #212
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3768-136
Occupant
403 Union St.
San Francisco, CA 94105

3768-137
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501 2nd St. Ste. #212
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3768-137
Occupant
403 Union St.
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3768-139
William C. Koenig III
403 Main St. #815
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Occupant
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San Francisco, CA 94105

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3768-141
Peter J. Arnone Jr.
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San Francisco, CA 94105

3768-142
Macario B. Leano
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3768-143
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3768-146
William Yao
403 Main St. #108N
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3768-147
Chris & Ginny Spafford
403 Main St. #110N
San Francisco, CA 94105

3768-147
Occupant
403 Main St. #941
San Francisco, CA 94105

3768-148
Anthony S. Assalino
403 Main St. #111N
San Francisco, CA 94105

3768-148
Occupant
403 Main St. #1196
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3768-149
Julius Ruslan
403 Main St. #112N
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3768-150
Jeffrey Leibovitz & Louise Bird
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3768-151
James W. Lunsford
403 Main St. #115N
San Francisco, CA 94105

3768-152
Ramon S. Torrecilha
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3768-120
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101 Harrison St. #208
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3768-121
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3768-124
Ken Fukino & Naomi Yamamoto
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Occupant
101 Harrison St. #212
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3768-125
Edwin M.W. Chow
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Occupant
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Occupant
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3768-130
Stabb Living Trust
C/O Edward & Joann Stabb
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3768-107
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3768-108
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3768-109
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3768-110
Innocent Bystanders II LLC
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3768-099
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3768-100
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3768-101
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3768-102
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3768-103
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Occupant
38 Bryant St. #808
San Francisco, CA 94105

3768-077
John Cornwell
38 Bryant St. #809
San Francisco, CA 94105

3768-078
Ashok K. Janah
38 Bryant St. #901
San Francisco, CA 94105

3768-079
Fani Lai-Fun Chung
38 Bryant St. #902
San Francisco, CA 94105

3768-080
Shelley J. Anixter
38 Bryant St. #903
San Francisco, CA 94105

3768-081
Kieran Darby
38 Bryant St. #904
San Francisco, CA 94105

3768-082
Patrick E. McSweeney
38 Bryant St. #905
San Francisco, CA 94105

3768-083
Robert R Molina
954-95 Camino De La Reina
San Diego, CA 92108

3768-083
Occupant
38 Bryant St. #906
San Francisco, CA 94105

3768-084
Thomas J. Perkins
435 Golden Gate Ave.
Belvedere, CA 94920

3768-084
Occupant
38 Bryant St #907
San Francisco, CA 94105

3768-085
Craig Leavitt & Stephen Weaver
38 Bryant St. #908
San Francisco, CA 94105

3768-086
Gordon & Gwen Bell Trust
C/O C. Gordon Bell
38 Bryant St. #909
San Francisco, CA 94105

3768-087
Earl Gee
38 Bryant St. #100
San Francisco, CA 94105

3768-088
Big Fat Girl LLC
C/O Harry Mason
26 Lagorio Ct.
Alameda, CA 94502

3768-088
Occupant
38 Bryant St. #2
San Francisco, CA 94105

3768-089
Bechelli & Rossi Inc.
698 Brannan St.
San Francisco, CA 94107

3768-089
Occupant
38 Bryant St.
San Francisco, CA 94105

3768-090
Brenda W.L. Tam & Luis Cuadros
400 Spear St. #101
San Francisco, CA 94105

3768-090
Occupant
101 Harrison St. #101
San Francisco, CA 94105

3768-091
Yvonne Borghuis
185 29th Ave.
San Francisco, CA 94121

3768-091
Occupant
101 Harrison St. #102
San Francisco, CA 94105

3768-049
Occupant
38 Bryant St. #508
San Francisco, CA 94105

3768-050
Pamela Sue Lott
38 Bryant St. #509
San Francisco, CA 94105

3768-051
Joseph D. Hawkins
C/O Old Republic Title Co.
38 Bryant St. #601
San Francisco, CA 94105

3768-052
Crayton W. Jones Grantor Trust Retained
C/O Crayton W. & Sandra J. Jones
144 Pepper Dr.
Los Altos Hills, CA 94022

3768-052
Occupant
38 Bryant St. #602
San Francisco, CA 94105

3768-053
Regina M. Miller
38 Bryant St. #603
San Francisco, CA 94105

3768-054
Paul R. Jasper
38 Bryant St. #604
San Francisco, CA 94105

3768-055
Herold L. Anderson
38 Bryant St. #605
San Francisco, CA 94105

3768-056
Ted J. Horsley
38 Bryant St. #606
San Francisco, CA 94105

3768-057
Michael C. Griffin & Ada Edward
38 Bryant St. #607
San Francisco, CA 94105

3768-058
James C. & Kathy C. Huang
5521 Perugia Circle
San Jose, CA 95138

3768-058
Occupant
38 Bryant St. #608
San Francisco, CA 94105

3768-059
Pedro D. Zamora
38 Bryant St. #609
San Francisco, CA 94105

3768-060
David A. & Gail E. Daly
38 Bryant St. #701
San Francisco, CA 94105

3768-061
Parker Family Trust
38 Bryant St. #702
San Francisco, CA 94105

3768-062
Steven Vettel Living Trust
38 Bryant St. #703
San Francisco, CA 94105

3768-063
Michael T. & Mary E. Koestler
38 Bryant St. #704
San Francisco, CA 94105

3768-064
Sheryl Pounds
38 Bryant St. #705
San Francisco, CA 94105

3768-065
Douglas Bird
10 Joseph Ct.
San Rafael, CA 94903

3768-065
Occupant
38 Bryant St. #706
San Francisco, CA 94105

3768-066
Lupe DeLeon
38 Bryant St. #707
San Francisco, CA 94105

3768-067
Jane D. Rizzo
38 Bryant St. #708
San Francisco, CA 94105

3768-068
Jean M. Lichtenstein
38 Bryant St. #709
San Francisco, CA 94105

3768-069
Christopher L. Newell
38 Bryant St. #801
San Francisco, CA 94105

3768-070
Glenn L. & Sally E. Essex Trust
C/O Glenn L. Essex
38 Bryant St. #802
San Francisco, CA 94105

3768-071
S.H. Hsia
38 Bryant St. #803
San Francisco, CA 94105

3768-072
David B. & Barbara A. Burlington
38 Bryant St. #804
San Francisco, CA 94105

3768-028
Karen J. Luhman
38 Bryant St. #303
San Francisco, CA 94105

3768-029
Joseph N. Jaggers
38 Bryant St. #304
San Francisco, CA 94105

3768-030
Brian P. Clancy
38 Bryant St. #307
San Francisco, CA 94105

3768-031
Edwin Turrell Revocable Trust
38 Bryant St. #308
San Francisco, CA 94105

3768-032
John W. & Susan Wigert
38 Bryant St. #309
San Francisco, CA 94105

3768-033
Karin Khwanda
38 Bryant St. #401
San Francisco, CA 94105

3768-034
Stephan H. Lovi
38 Bryant St. #402
San Francisco, CA 94105

3768-035
Courtney A. Conner
38 Bryant St. #403
San Francisco, CA 94105

3768-036
Terry D. Cooper & Maureen G. O'Neil
38 Bryant St. #404
San Francisco, CA 94105

3768-037
Rupen P. & Meera R. Dolasia
38 Bryant St. #405
San Francisco, CA 94105

3768-038
Peter R. & Lisa R. Sorenson
38 Bryant St. #406
San Francisco, CA 94105

3768-039
Louis A. & Diane Acevedo Jr.
3935 Round Top Dr.
Honolulu, HI 96822

3768-039
Occupant
38 Bryant St. #407
San Francisco, CA 94105

3768-040
Gran C.H. Kao
C/O Lin Storer
30 Anguido Ct.
Hillsborough, CA 94010

3768-040
Occupant
38 Bryant St. #408
San Francisco, CA 94105

3768-041
Peter D. Abbey
38 Bryant St. #409
San Francisco, CA 94105

3768-042
Cathleen C. Bennett
38 Bryant St. #501
San Francisco, CA 94105

3768-043
Ricardo J. Sabella Jr.
C/O Richfield Investment Corp.
10001 Westheimer Rd. Ste. #2888
Houston, TX 77042

3768-043
Occupant
38 Bryant St. #502
San Francisco, CA 94105

3768-044
Adam Block
38 Bryant St. #503
San Francisco, CA 94105

3768-045
Janiel Jolley & Margretta Freeman
38 Bryant St. #504
San Francisco, CA 94105

3768-046
George Karkazis
38 Bryant St. #505
San Francisco, CA 94105

3768-047
William C. & Linda M. Jensen Living Trust
70 Paso Hondo
Carmel Valley, CA 93924

3768-047
Occupant
38 Bryant St. #506
San Francisco, CA 94105

3768-048
Robert C. & Mariann Quinn
904 Catalina Ct.
Roseville, CA 95661

3768-048
Occupant
38 Bryant St. #507
San Francisco, CA 94105

3768-049
Dennis M. & Barbara M. O'Brien
10 Oak Ave.
Belvedere, CA 94920

3767-302
Occupant
201 Harrison St. #1129
San Francisco, CA 94105

3767-303
Turley R. Mings
135 Shelter Lagoon Dr.
Santa Cruz, CA 95060

3767-303
Occupant
201 Harrison St. #1130
San Francisco, CA 94105

3767-304
Jaime Pena
201 Harrison St. #1131
San Francisco, CA 94105

3767-305
Reis Family LLC
429 Beale St.
San Francisco, CA 94105

3767-306
Reis Family LLC
PO Box 7794
San Francisco, CA 94120

3767-306
Occupant
430 Main St.
San Francisco, CA 94105

3767-307
James H. & Gladys M. Kennedy Sr. Trust
C/O James H. Kennedy
100 Crystal Springs Rd.
Hillsborough, CA 94010

3767-307
Occupant
201 Harrison St. #1C
San Francisco, CA 94105

3767-308
Baycrest Towers Residential Condo Assoc.
201 Harrison St.
San Francisco, CA 94105

3767-308
Occupant
201 Harrison St. #C-2
San Francisco, CA 94105

3767-309
Baycrest Towers Residential Condo Assoc.
201 Harrison St.
San Francisco, CA 94105

3767-309
Occupant
201 Harrison St. #3C
San Francisco, CA 94105

3767-310
Baycrest Towers Residential Condo Assoc.
201 Harrison St.
San Francisco, CA 94105

3767-310
Ocupant
201 Harrison St. #4C
San Francisco, CA 94105

3768-015
Shirley Osumi Revoc Trust
C/O BEI Properties LLC
155 Montgomery St. Ste. 1500
San Francisco, CA 94104

3768-015
Occupant
470 Spear St.
San Francisco, CA 94105

3768-016
Transamerica Realty Services Inc.
600 Montgomery St.
San Francisco, CA 94111

3768-016
Occupant
2 Bryant St.
San Francisco, CA 94105

3768-021
Hum Baby Associates
501 2ND St. Ste. 422
San Francisco, CA 94107

3768-021
Occupant
38 Bryant St.
San Francisco, CA 94105

3768-022
Hum Baby Associates
501 2ND St. Ste. 422
San Francisco, CA 94107

3768-022
Occupant
38 Bryant St.
San Francisco, CA 94105

3768-025
Patricia A. Mattler
59 Mariners Cir.
San Rafael, CA 94903

3768-025
Occupant
38 Bryant St. #101
San Francisco, CA 94105

3768-026
Hildegard Kleinen
38 Bryant St. #301
San Francisco, CA 94105

3768-027
Charles A. & Leticia Emanuel
38 Bryant St. #302
San Francisco, CA 94105

3767-285
Fred S. & Elaine E. Park
101 Lombard St. #406E
San Francisco, CA 94111

3767-285
Occupant
201 Harrison St. #1026
San Francisco, CA 94105

3767-286
Gina Wu
201 Harrison St. #1027
San Francisco, CA 94105

3767-287
Lupe DeLeon
201 Harrison St. #1028
San Francisco, CA 94105

3767-288
Orlando D. & Clemie R. Ereno Revocable Trust
1208 Melba Ct.
San Jose, CA 95120

3767-288
Occupant
201 Harrison St. #1029
San Francisco, CA 94105

3767-289
Tricia J. Hartwick
5 Commodore Dr. #B211
Emeryville, CA 94608

3767-289
Occupant
201 Harrison St. #1030
San Francisco, CA 94105

3767-290
John K. & Rachel C. McNamara
201 Harrison St. #1031
San Francisco, CA 94105

3767-291
Ralph E. Lindmark
600 Chestnut St. #310
San Francisco, CA 94113

3767-291
Occupant
201 Harrison St. #1118
San Francisco, CA 94105

3767-292
Philip A. & Sharon C. Thormahlen
C/O Thormahlen Properties
10 Montecito Rd.
San Rafael, CA 94901

3767-292
Occupant
201 Harrison St. #1119
San Francisco, CA 94105

3767-293
Thomas L. Hart
4255 155TH PL SE
Bellevue, WA 98006

3767-293
Occupant
201 Harrison St. #1120
San Francisco, CA 94105

3767-294
Ronald L. Wilson
565 Bellevue Ave #1004
Oakland, CA 94610

3767-294
Occupant
201 Harrison St. #1121
San Francisco, CA 94105

3767-295
George J. Cooper
201 Harrison St. #1122
San Francisco, CA 94105

3767-296
Eric C. & Kimberly A. Smith
1555 California St. #401
Denver, CO 89202

3767-296
Occupant
201 Harrison St. #1123
San Francisco, CA 94105

3767-297
Krzystof & Teresa Preis
201 Harrison St. #1124
San Francisco, CA 94105

3767-298
Debra Gould
201 Harrison St. #1125
San Francisco, CA 94105

3767-299
David H. Hildreth
201 Harrison St. #1126
San Francisco, CA 94105

3767-300
Beverly A. Kees
201 Harrison St. #1127
San Francisco, CA 94105

3767-301
David & Elizabeth Masri
290 27TH St.
Oakland, CA 94612

3767-301
Occupant
201 Harrison St. #1128
San Francisco, CA 94105

3767-302
Turley R. Mings
135 Shelter Lagoon Dr.
Santa Cruz, CA 95060

3767-264
Occupant
201 Harrison St. #919
San Francisco, CA 94105

3767-265
Ellen Leroe
201 Harrison St. #920
San Francisco, CA 94105

3767-266
Jill T. Jarrett
201 Harrison St. #921
San Francisco, CA 94105

3767-267
Monique Tsang
201 Harrison St. #922
San Francisco, CA 94105

3767-268
Michael F. Korns & Gilda P. Cabral
PO Box 502
Woodacre, CA 94973

3767-268
Occupant
201 Harrison St. #923
San Francisco, CA 94105

3767-269
David C. Newman
PO Box 191361
San Francisco, CA 94119

3767-269
Occupant
201 Harrison St. #924
San Francisco, CA 94105

3767-270
Nasamichi Yamasaki & Atsuko Yamamoto
201 Harrison St. #925
San Francisco, CA 94105

3767-271
David Marriott
201 Harrison St. #926
San Francisco, CA 94105

3767-272
Thomas F. & Becky E. Hash Sr.
201 Harrison St. #927
San Francisco, CA 94105

3767-273
Jill D. Breslauer
201 Harrison St. #928
San Francisco, CA 94105

3767-274
James E. & Martha J. White
201 Harrison St. #929
San Francisco, CA 94105

3767-275
Lon G. & Malia K.D. Brown
201 Harrison St. #930
San Francisco, CA 94105

3767-276
Leslie W. Wickliffe
201 Harrison St. #931
San Francisco, CA 94105

3767-277
David L. & Cynthia J. Mulit
201 Harrison St. #1018
San Francisco, CA 94105

3767-278
Theodore C. Soderberg
PO Box 366
San Rafael, CA 94915

3767-278
Occupant
201 Harrison St. #1019
San Francisco, CA 94105

3767-279
Marie L. Waldmeier & Ian MacLachlan
201 Harrison St. #1020
San Francisco, CA 94105

3767-280
Robert B. Skyes
201 Harrison St. #1021
San Francisco, CA 94105

3767-281
Victor Y. L. Woo & Cindy Y.W.L. Fong
2787 Gaspar Ct.
Palo Alto, CA 94306

3767-281
Occupant
201 Harrison St. #1022
San Francisco, CA 94105

3767-282
Peter T. Chang
20609 E. Venton St.
Covina, CA 91724

3767-282
Occupant
201 Harrison St. #1023
San Francisco, CA 94105

3767-283
Madeline H. Lau
201 Hrrison St. #1024
San Francisco, CA 94105

3767-284
John C. Dunn
600 Chestnut St. #310
San Francisco, CA 94133

3767-284
Occupant
201 Harrison St. #1025
San Francisco, CA 94105

3767-247
Thomas E. Ryan & Mary Moore
PO Box 5105
Gualala, CA 95445

3767-247
Occupant
201 Harrison St. #830
San Francisco, CA 94105

3767-248
Linda Tam
201 Harrison St. #831
San Francisco, CA 94105

3767-249
Janet L. Brock
201 Harrison St. #900
San Francisco, CA 94105

3767-250
Susan E. Heil
201 Harrison St. #901
San Francisco, CA 94105

3767-251
Larry Lowe
1022 E Cambridge Ave.
Fresno, CA 93704

3767-251
Occupant
201 Harrison St. #902
San Francisco, CA 94105

3767-252
Weompner Family Revoc Living Trust
C/O Gene C. & Mary K. Weompner
27960 Briones Way
Los Altos Hills, CA 94022

3767-252
Occupant
201 Harrison St. #903
San Francisco, CA 94105

3767-253
Share Survivors Trust
C/O Yvonne Salomon
608 11TH St.
Santa Monica, CA 90402

3767-253
Occupant
201 Harrison St. #904
San Francisco, CA 94105

3767-254
Ronald G. Loutherback & Marjorie G. Loutherback
201 Harrison St. #905
San Francisco, CA 94105

3767-255
Donald W. Breer
201 Harrison St. #906
San Francisco, CA 94105

3767-256
Vena Tambellini
201 Harrison St. #907
San Francisco, CA 94105

3767-257
Thomas E. & Mary A. Kingshill
30 Woodland Dr.
Murphys, CA 95247

3767-257
Occupant
201 Harrison St. #908
San Francisco, CA 94105

3767-258
Philip Alfaro
201 Harrison St. #909
San Francisco, CA 94105

3767-259
Jean L. Sanderson
1108 Royal Ln.
San Carlos, CA 94070

3767-259
Occupant
201 Harrison St. #910
San Francisco, CA 94105

3767-260
Alberto A. & Estelita L. Carandang
6054 Mazuela Dr.
Oakland, CA 94611

3767-260
Occupant
201 Harrison St. #911
San Francisco, CA 94105

3767-261
Eugene & Shirley P. Spivak Inter-Vivos Trust
161 Kearney Ave.
Sonoma, CA 95476

3767-261
Occupant
201 Harrison St. #912
San Francisco, CA 94105

3767-262
Thomas E. Hammang Jr.
201 Harrison St. #913
San Francisco, CA 94105

3767-263
Win S. & Patricia M. Westfall
208 American River Canyon Dr. #D
Folsom, CA 95630

3767-263
Occupant
201 Harrison St. #918
San Francisco, CA 94105

3767-264
Michael N. Grbich
201 Harrison St.
San Francisco, CA 94105

3767-229
John W. Wirtanen
201 Harrison St #808
San Francisco, CA 94105

3767-230
Edward R. & Roberta W. Bennett Trustees
201 Harrison St #809
San Francisco, CA 94105

3767-231
De Vaughn D. & Karen E. Searson
3330 American River Dr.
Sacramento, CA 95864

3767-231
Occupant
201 Harrison St #810
San Francisco, CA 94105

3767-232
Cheryl A. Cultrona
201 Harrison St #811
San Francisco, CA 94105

3767-233
Brenda Holmes
201 Harrison St #812
San Francisco, CA 94105

3767-234
Barbara E. Raimond
201 Harrison St #813
San Francisco, CA 94105

3767-235
Patricia S. Traylor
201 Harrison St #818
San Francisco, CA 94105

3767-236
Fred S. & Elaine E. Park
101 Lombard St #406E
San Francisco, CA 94111

3767-236
Occupant
201 Harrison St #819
San Francisco, CA 94105

3767-237
Warren G.H. & Naomi L. Crecy Jr.
201 Manor Ct
American Canyon, CA 94589

3767-237
Occupant
201 Harrison St #820
San Francisco, CA 94105

3767-238
Michael P. & Lorraine Driscoll
PO Box 14339
San Francisco, CA 94114

3767-238
Occupant
201 Harrison St #821
San Francisco, CA 94105

3767-239
Michael K. Brown
PO Box 5327
San Mateo, CA 94402

3767-239
Occupant
201 Harrison St #822
San Francisco, CA 94105

3767-240
James Liu & Teresa S.G. Horn
PO Box 1008
Tiburon, CA 94920

3767-240
Occupant
201 Harrison St #823
San Francisco, CA 94105

3767-241
Bill J. DellIsola
201 Harrison St #824
San Francisco, CA 94105

3767-242
Paul E. Maltzer & Diane Oshima
2 Glorietta Ct
Orinda, CA 94563

3767-242
Occupant
201 Harrison St #825
San Francisco, CA 94105

3767-243
Robert L. Smith & Alfred R. Elizares
201 Harrison St #826
San Francisco, CA 94105

3767-244
Lupe S. DeLeon
4031 Panama Ct
Piedmont, CA 94611

3767-244
Occupant
201 Harrison St #827
San Francisco, CA 94105

3767-245
Laune L. Leslie-Groves
Michael J. Groves
201 Harrison St #828
San Francisco, CA 94105

3767-246
James E. & Blanche C. Juge
1321 W 184TH St
Gardena, CA 90248

3767-246
Occupant
201 Harrison St #829
San Francisco, CA 94105

3767-212
Belinda Del Bosque
201 Harrison St. #723
San Francisco, CA 94105

3767-213
Alexandria Rodgers
201 Harrison St. #724
San Francisco, CA 94105

3767-214
Alan W.D. & Yuet W. Lum
201 Harrison St. #725
San Francisco, CA 94105

3767-215
Richard J. Berkowitz
628 Carolina St.
San Francisco, CA 94107

3767-215
Occupant
201 Harrison St. #726
San Francisco, CA 94105

3767-216
Victor Zele & Wendy Walker
201 Harrison St. #727
San Francisco, CA 94105

3767-217
Michael J. Sanchez & Susan J. Murphy
201 Harrison St. #208
San Francisco, CA 94105

3767-217
Occupant
201 Harrison St. #728
San Francisco, CA 94105

3767-218
Kazumichi Nakahigashi
201 Harrison St. #729
San Francisco, CA 94105

3767-219
Devlin W. Gardella
201 Harrison St. #407
San Francisco, CA 94105

3767-219
Occupant
201 Harrison St. #730
San Francisco, CA 94105

3767-220
Timothy C. Jewell
400 Spear St. #112
San Francisco, CA 94105

3767-220
Occupant
201 Harrison St. #731
San Francisco, CA 94105

3767-221
Christopher G. Brunetti
201 Harrison St. #800
San Francisco, CA 94105

3767-222
Charles H. Ward
PO Box 22454
San Francisco, CA 94122

3767-222
Occupant
201 Harrison St. #801
San Francisco, CA 94105

3767-223
Jeffrey C. Chandler
1283 E 18TH St. #2
Oakland, CA 94606

3767-223
Occupant
201 Harrison St. #802
San Francisco, CA 94105

3767-224
Jeannette Morin
201 Harrison St. #803
San Francisco, CA 94105

3767-225
George W. & Roberta B. Prutzman
7675 Lakeside Dr.
Reno, NV 89511

3767-225
Occupant
201 Harrison St. #804
San Francisco, CA 94105

3767-226
Terry G. & Cynthia Clenney
6814 Corte Nuevo
Pleasanton, CA 94566

3767-226
Occupant
201 Harrison St. #805
San Francisco, CA 94105

3767-227
Linda A. Flounders
4640 Huron Ave.
San Diego, CA 92117

3767-227
Occupant
201 Harrison St. #806
San Francisco, CA 94105

3767-228
Catherine K. Cheng
1495 10TH Ave.
San Francisco, CA 94122

3767-228
Occupant
201 Harrison St. #807
San Francisco, CA 94105

3767-194
Jonathan A. Schoffstall
201 Harrison St. #701
San Francisco, CA 94105

3767-195
Peter J. Caldwell
201 Harrison St. #702
San Francisco, CA 94105

3767-196
Robert H. & Glodine M. Klinger
3338 Cove Circle
Stockton, CA 95204

3767-196
Occupant
201 Harrison St. #703
San Francisco, CA 94105

3767-197
Fady Kabalaoui & Fouad Kabalaoui
BOX 360 Dhahran Airpt 31932
Kingdon Of Saudi Arabia

3767-197
Occupant
201 Harrison St. #704
San Francisco, CA 94105

3767-198
Veronica I. Martinez
201 Harrison St. #705
San Francisco, CA 94105

3767-199
Knight Revocable Trust
C/O John & Sandra Knight
5267 Broken Lance Ct
San Jose, CA 95136

3767-199
Occupant
201 Harrison St. #706
San Francisco, CA 94105

3767-200
Michael A. Biewend
707 Harrison St. #416
San Francisco, CA 94107

3767-200
Occupant
201 Harrison St. #707
San Francisco, CA 94105

3767-201
Wilma J. Evans
201 Harrison St. #708
San Francisco, CA 94105

3767-202
Jeffrey Demartini
201 Harrison St. #709
San Francisco, CA 94105

3767-203
Anita Chugani
201 Harrison St. #710
San Francisco, CA 94105

3767-204
Emmett C. Velten Jr.
3385 E Arroyo Chico
Tucson, AZ 85716

3767-204
Occupant
201 Harrison St. #711
San Francisco, CA 94105

3767-205
Helen Park
201 Harrison St. #712
San Francisco, CA 94105

3767-206
David M. Yee
201 Harrison St. #713
San Francisco, CA 94105

3767-207
Smith Khemalaap & Charunee Khemalaap
2221 SW 1ST Ave. #1525
Portland, OR 97201

3767-207
Occupant
201 Harrison St. #718
San Francisco, CA 94105

3767-208
Stephen S.C. & Debora W. Lee
8650 Huntington Dr.
San Gabriel, CA 91775

3767-208
Occupant
201 Harrison St. #719
San Francisco, CA 94105

3767-209
Joan D. & Jerome J. Libera
C/O John W.H. & Barbara J. Taylor
4406 San Manno Dr.
Davis, CA 95616

3767-209
Occupant
201 Harrison St. #720
San Francisco, CA 94105

3767-210
Rose Martin
201 Harrison St. #721
San Francisco, CA 94105

3767-211
Max P. & Glorina P. Ochangco
3315 Remington Way
San Jose, CA 95148

3767-211
Occupant
201 Harrison St. #722
San Francisco, CA 94105

3767-172
Occupant
201 Harrison St. #607
San Francisco, CA 94105

3767-173
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201 Harrison St. #608
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3767-174
Tonya T. York
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3767-175
Fritz & Marlise Braker
201 Harrison St. #610
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3767-176
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3767-177
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3767-178
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3767-179
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3767-180
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3767-181
David R. & Greg Tripaldi Jr.
201 Harrison St. #620
San Francisco, CA 94105

3767-182
Mae L. Larsen
201 Harrison St. #621
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3767-183
Michael J. Temlin
201 Harrison St. #622
San Francisco, CA 94105

3767-184
Calvin Y. Louie
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3767-185
Lita R. Nachman
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201 Harrison St. #624
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3767-186
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201 Harrison St. #625
San Francisco, CA 94105

3767-187
Dino & Jean C. Galeazzi Jr.
201 Harrison St. #626
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3767-188
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3767-192
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3767-193
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3767-154
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3767-155
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3767-156
Vincente & Maria-Corazon G. Vista
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3767-157
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3767-159
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3767-160
James C. Hirschinger
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3767-161
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3767-163
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3767-168
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3767-169
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3767-170
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3767-171
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3767-172
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3767-134
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3767-138
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3767-139
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3767-140
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3767-141
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3767-145
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3767-146
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3767-147
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3767-148
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3767-149
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3767-150
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3767-114
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3767-119
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3767-126
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3767-127
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3767-128
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3767-129
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3767-078
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3767-079
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3767-085
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3767-086
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3767-090
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3767-096
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3767-059
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3767-060
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3767-061
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3767-062
Anthony S.H. & Vera S.M. Lam
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3767-063
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3767-064
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3767-065
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3767-068
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3767-072
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3767-073
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3767-074
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3767-037
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3767-038
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3767-039
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3767-040
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3767-043
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3767-048
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3767-049
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3767-051
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3767-026
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3768-286
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3768-287
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APPENDICES

CHAPTER VIII
APPENDICES

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APPENDIX A

NOTICE OF PREPARATION AND RESPONSES TO NOTICE OF PREPARATION

NOTICE THAT A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT IS DETERMINED TO BE REQUIRED

Date of this Notice: June 9, 2001

Lead Agency: City and County of San Francisco, Planning Department
1660 Mission Street, 5th Floor, San Francisco, CA 94103

Agency Contact Person: Rick Cooper **Telephone:** (415) 558-5974

Project Title: 2000.1229E: San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project

Project Sponsor: Port of San Francisco and San Francisco Cruise Terminal, LLC
Project Contact Person: John Doll **Contact Phone #:** (415) 274-0639

Project Address: San Francisco Bay Waterfront: Pier 30-32, Seawall Lot 330, and Piers 34 & 36
Assessor's Block/Lot: Block 3770, Lots 1 & 2; Block 3771, Lot 1; and Block 9900, Lots 30, 32, 34 & 36
City and County: San Francisco

Project Description: The proposed project would involve the construction of two berths, including necessary dredging, and a new terminal for cruise ships that call at the Port of San Francisco, as well as ancillary commercial development, all on Pier 30-32. The proposed project also would include construction of a residential project on Seawall Lot 330, across The Embarcadero from Pier 30-32. The cruise terminal is proposed to contain about 100,000 square feet of floor area, while the commercial component is proposed to include about 460,000 gross square feet (gsf) of office space and about 220,000 gsf of retail, restaurant and entertainment (cinema) space. About 450 parking spaces would be provided on the pier. The proposal includes repairing and reconfiguring the pier to provide waterfront open space, berthing for ferries and recreational boats, and preservation of Red's Java House. The residential component, on the block bounded by The Embarcadero and Beale and Bryant Streets, would include approximately 350 dwelling units and about 350 off-street parking spaces. The SEIR will also analyze the proposed Brannan Street Wharf in the current location of Piers 34 and 36, which would be demolished to create waterfront open space and to enable the construction of an approximately 57,000-square-foot park along The Embarcadero. This project would be implemented by the Port on a separate timeline.

Supplemental EIR Scope: The Supplemental EIR will supplement the Waterfront Land Use Plan EIR (Case No. 94.115E, State Clearinghouse No. 94123007, certified January 9, 1997). The Supplemental EIR will describe changes in the setting since certification of the Waterfront Land Use Plan EIR, as well as any new information that has become available, and will assess project-specific, cumulative, direct, and indirect impacts affecting the physical environment. It is currently anticipated that the Supplemental EIR will update the following areas from the Waterfront Land Use Plan EIR: land use, visual quality, transportation, air quality, hydrology and water quality, wind, shadow, and hazardous materials.

THESE PROJECTS MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND A SUPPLEMENT TO THE WATERFRONT LAND USE PLAN ENVIRONMENTAL IMPACT REPORT (Case No. 94.115E, State Clearing House No. 94123007, certified January 9, 1997) IS REQUIRED. This determination is based upon the criteria of the Guidelines of the State Secretary for Resources, Section 15162 (Subsequent EIRs), Section 15163 (Supplement to an EIR), 15064 (Determining Significant Effects), and 15065 (Mandatory Findings of Significance).

Comments on the scope of the Supplemental EIR will be gladly accepted prior to close of business July 9, 2001.

PAUL MALTZER, Environmental Review Officer

PORTSIDE NEIGHBORHOOD COMMITTEE
38 Bryant Street, Suite 100
San Francisco, CA 94105

July 9, 2001

Mr. Rick Cooper, Planning Department
City and County of San Francisco
1660 Mission Street, Suite 500
San Francisco, CA 94103-2414

Subject: San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project Supplemental EIR

Dear Mr. Cooper,

Thank you for the opportunity to comment on the above referenced document. The Portside Neighborhood Committee offers the following comments:

Under CEQA, an EIR should identify and analyze the possible significant environmental impacts of a proposed project. CEQA § 21100(b)(1); CEQA Guidelines §§ 15126(a), 15126.2(a). A significant effect on the environment means "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance..." In addition, "a social or economic change related to a physical change may be considered in determining whether the physical change is significant." CEQA Guidelines § 15382. "The significant effects should be discussed with emphasis in proportion to their severity and probability of occurrence." CEQA Guidelines § 15143; *see also* CEQA §§ 21002.1(e), 21100(c); CEQA Guidelines § 15128. Analysis should therefore contain a discussion of the project's environmental setting, to "constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." CEQA Guidelines § 15125(a). For the purpose of this study, the baseline conditions should be based on current Port of San Francisco cruise ship operations data through the end of 2000, and based on current legislation. "A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project." CEQA Guidelines § 15065. "Drafting an EIR...necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can." CEQA Guidelines § 15144.

The EIR should also identify feasible mitigation measures and feasible environmentally superior project alternatives for the agency's consideration. CEQA §s 21002, 21081(a); CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15091(a)(1). The EIR should describe those significant environmental impacts that cannot be avoided because there are no feasible mitigation measures or because feasible measures cannot mitigate the impacts to a less than significant level. CEQA Guidelines §§ 15126(b), 15126.2(b). If such unmitigatable significant impacts can be avoided by adopting an alternative design, the EIR must describe the "implications" of not adopting that alternative. CEQA Guidelines § 15126(b); CEQA § 21100(b)(2)(A). The EIR should additionally identify "cumulative impacts," defined as "two or more individual effects which, when considered together, are considerable or...compound or increase other environmental impacts." CEQA Guidelines § 15355. Cumulative impacts take into account the project's impacts combined with the impacts of other projects in the study area. CEQA Guidelines § 15130(a)(1).

1. **Circulation of the Notice of Preparation**

With regard to the Notice of Preparation (NOP) of the Supplemental EIR, the notice did not include a map or geographical description of the project as recommended by CEQA. It is important that the full scope and objectives of the proposed project be adequately defined at the outset of environmental review. "A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental costs, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance." (County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 192-193.)

We feel that the Planning Department is unfairly inconsistent in its approach to NOP circulation; the recent NOP for the Rincon Hill Mixed Use District, Case No. 2000.1081E, dated March 10, 2001 contained 32 pages of project description, stated objectives, project components, projected development, related projects and planning efforts, approval requirements, and a detailed summary of potential environmental impacts. When compared to the Rincon Hill NOP, the single page NOP for the Supplemental EIR for the Cruise Terminal Mixed Use Project (with no graphical information whatsoever) appears to have provided a "curtailed or distorted project description" which effectively limits the scoping capabilities of the affected outsiders and public decision-makers.

In addition, it has come to our attention that analyses for the Draft EIR are being currently conducted, and have been for some time. While CEQA provides that the "Lead Agency may begin work on the draft EIR immediately without awaiting responses to the Notice of Preparation," (CEQA Guidelines § 15082(a)(4)), CEQA also states that "*Immediately* after deciding that an Environmental Impact Report is required for a project, the Lead Agency shall send to each Responsible Agency a Notice of Preparation stating that an Environmental Impact Report will be prepared. CEQA Guidelines § 15082(a). In meeting minutes of the Port of San Francisco Waterfront Design Advisory Committee dated May 15, 2001, it clearly states: "an Environmental Impact Report (EIR) is currently being prepared for the project. A Draft EIR will be available for public review in June 2001." Given an approximate six-month timeframe for the preparation of an EIR for a project this size, it seems that analyses for the EIR have been ongoing for some time.

While perhaps not explicitly prohibited by CEQA, this practice defeats the purpose of a public scoping process by completing the bulk of the EIR in a vacuum without input from the public and trustee agencies. In doing so, the environmental impact and alternatives analyses contained in the EIR suffer from a biased view of the Lead Agency, with the necessary scoping comments dealt with in an offhand manner at a later date. This practice is contrary to the intent of CEQA to provide equal weight in any feasible alternative and undermines the public scoping process.

In order to negate the implied intent of the Lead Agency to push this EIR through the CEQA process with as little public input as possible, we recommend the following: (1) recirculation of the NOP with detailed discussions of the project description, including massing plans and elevations, clearly stated project objectives, project components, projected development, related projects and planning efforts, approval requirements, a more thorough discussion of the relationship between this supplemental EIR and the Waterfront Plan EIR, and a thorough summary of the potential environmental impacts of the proposed project (environmental checklist), and (2) public scoping meetings to ensure that the Lead Agency has appropriate public input with regard to environmental impact and alternatives analyses. In addition, we urge the Lead Agency to conduct analyses in the EIR with equal weight given to the public scoping comments compared with impact assumptions that have driven analyses conducted thus far.

2. Analyses of Potential Environmental Impacts

With regard to the analyses of potential environmental impacts due to the proposed project, the Portside Neighborhood Committee requests the following analyses be performed:

2.1 Earth

The EIR should discuss the amount of dredging of San Francisco Bay required for the berths at Piers 30-32. Discussion should include both construction dredging and maintenance dredging for the life of the project. The operation of dredging equipment should be included in analyses for Air Quality (2.2), Water (2.3), and Natural Resources (2.8) for both the construction and operation of the project.

The EIR should detail the amount of cut and fill required for the construction of the proposed project, and any contaminants contained within the soils of the site, as well as identify the location for disposing of any excess cut and the implications of storing any contaminated soils. Because the nearby Pacific Bell Park construction site contained contaminated soils, and due to construction staging stored contaminated piles on site for long periods of time, this issue is particularly relevant to projects in this neighborhood.

2.2 Air Quality

The proposed project has potential impacts to air quality in terms of state and federal criteria pollutants, air toxics emissions, and the cumulative impacts of nearby construction projects, surface traffic congestion, and the Bay Bridge.

The EIR should identify any adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction and operations of the project should be considered. Construction related impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from excavating, dredging, grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operational-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust), as well as the cruise ships themselves. Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips, as well as any induced increase in cruise ship operations due to the proposed project, should be included in the evaluation.

In compliance with the California Air Resources Board (ARB) Air Toxics program and Air Toxics Hot Spots Program, the EIR should calculate the inventory of toxic emissions related to the proposed project. Specifically, due to the operation of the cruise terminal and the cruise ships themselves, analyses should be conducted to determine the impacts on air quality from diesel engine exhaust (particulate matter and total organic gas), diesel fuel (marine), as well as any toxic emissions due to the operation of or the on-site fuel dispensing of either the cruise ships or the buses related to the project. Analyses should include, but not be limited to, diesel combustion source testing, including a fuel analysis for metals and chloride, and stack tests for PAH and Formaldehyde.

The EIR should include the full cumulative impacts to air quality in the evaluation. These include, but are not limited to, emissions generated by traffic from nearby related projects (construction and operation), source emissions from nearby related projects (construction and operation), and emissions from congestion due to traffic impacts (2.9) from both surface streets and the Bay Bridge. Particular attention should be placed on the cumulative impacts to air

quality from traffic congestion due to events at Pacific Bell Park and the afternoon rush hour (see 2.10). In order to determine the full potential for impacts to air quality, a full dispersion analysis (including CO concentrations), incorporating effects of the proposed project and neighboring developments on localized wind patterns, including all cumulative emission sources should be included in the EIR.

2.3 Water

The EIR should include analyses to determine the potential impacts to the San Francisco Bay due to both the construction and operation of the proposed project. Analyses should include, but not be limited to, runoff, dredging, bilge dumping, and toxic contaminant impacts to the San Francisco Bay due to the proposed project. A discussion of potential impacts to water due to increased cruise ship operations induced by the proposed project should also be included in the EIR. In addition, the EIR should include discussion of potential cumulative impacts to water due to neighboring developments under construction or planned for the foreseeable future.

2.4 Biological Resources

The EIR should discuss any impact to endangered species, including the San Francisco garter snake, the California clapper rail, the California least tern, the San Joaquin kit fox, the salt marsh harvest mouse, and the ferry shrimp. Impacts to native species of San Francisco Bay, including invertebrate, fish, mammals, and birds due to cruise ship operations and associated bilge dumps should be discussed. These discussions should include potential impacts due to both introduction of non-native species by bilge water and contaminated bilge water to the Bay as well as quantify these impacts due to increased cruise ship operations induced by the proposed project. In addition, the EIR should include discussion of potential cumulative impacts to biological resources due to neighboring developments under construction or planned for the foreseeable future.

2.5 Noise

The EIR should include analyses to determine the potential noise impacts to the South Beach neighborhood due to both the construction and operation of the proposed project. Analyses should include, but not be limited to, ambient noise levels, single event noise levels due to the horns of the cruise ships themselves, and bus operation impacts to the neighborhood due to the proposed project both during the day and night. A discussion of potential impacts to noise due to increased cruise ship operations and traffic congestion induced by the proposed project should also be included in the EIR. In addition, the EIR should include discussion of potential cumulative impacts to noise due to the seismic retrofitting of the Bay Bridge, events at Pacific Bell Park, and neighboring developments under construction or planned for the foreseeable future.

2.6 Aesthetics/Light and Glare

Because the NOP did not graphically describe the proposed project in terms of massing and configuration, it is difficult to quantify the scope of analyses in terms of aesthetics/light and glare impacts of the proposed project. Nevertheless, in addition to scoping comments received during proposed public scoping meetings, the EIR should quantify aesthetics/light and glare impacts in relation to adjacent developments (including daily shadow impacts throughout the year), and public view corridors (specifically the Main Street View Corridor as described in 2.15). The EIR should discuss the neighborhood's potential "manhattanization" due to cumulative development generally disapproved of by the neighborhood residents. In addition, the EIR should discuss the historic and existing aesthetic character of the South Beach neighborhood, and quantify the impacts to aesthetics caused by the proposed project as well as cumulative projects under construction or planned for the foreseeable future.

The EIR should also quantify impacts to neighboring residences and commercial buildings in terms of light and glare due to the proposed project, both during its construction and operation. Included in this analysis should be the reflectivity of the cruise ship terminal's proposed roofline, the light emissions and glare of both the terminal and the cruise ships themselves, and the potential cumulative impact of neighboring development (day and night).

2.7 Land Use

The proposed project would incorporate 460,000 gross square feet of office space on the Public Trust land of Piers 30-32. Office space is a land use incompatible with the Public Trust. Additional incompatible land uses of the proposed project on Public Trust lands include entertainment (cinema) and specialty grocery. The EIR should discuss recognized compatible and incompatible land uses for Public Trust lands, and discuss the proposed project in terms of land use compatibility. Furthermore, the EIR should discuss the compatibility of residential land uses immediately adjacent to a major intermodal transportation hub (cruise terminal), and provide case studies of existing metropolitan areas where residential land uses are immediately adjacent to intermodal transportation land uses, outlining the positive and negative impacts associated with such adjacencies.

As presently proposed, the public Main Street View Corridor is terminated by one of the tower masses along the Embarcadero of the proposed project, as well as the 8-story "townhouse" element along Bryant Street. Such a massing configuration would restrict public vistas of San Francisco Bay, and eliminate a visual connection to the waterfront from the public. As a result, the current massing proposal for Seawall Lot 330 seems inconsistent with the following goal of the Special Area Waterfront Plan (www.sfport.com/goals.html):

> *"Urban Design Worthy of the Waterfront Setting. The design of new developments should be of exemplary quality and should highlight visual and physical access to and from the Bay, while respecting the waterfront's rich historic context and the character of neighboring development."*

The EIR should discuss the proposed project in terms of plan consistency specifically regarding the proposed massing eliminating a visual connection to the waterfront, and the relationship between the proposed project and the waterfront's rich historic context, including the character of neighboring development. In addition, the EIR should quantify these issues with all alternatives, and state the alternative most consistent with governing plans.

2.8 Natural Resources

The EIR should discuss impacts to natural resources due to the proposed project, including construction and operation. A discussion of the increased use of natural resources due to increased cruise ship operations induced by the proposed project should also be included in the EIR. In addition, the EIR should discuss the cumulative impacts to natural resources by neighboring developments under construction or planned for the foreseeable future.

2.9 Risk of Upset/Human Health

The EIR should discuss impacts to human health and quantify the risk of upset due to the proposed project, including construction and operation. A discussion of the increased risk of upset due to increased cruise ship operations induced by the proposed project should also be included in the EIR. In addition, the EIR should discuss the cumulative impacts to human health and quantify the cumulative risk of upset due to neighboring developments under construction or planned for the foreseeable future.

2.10 Transportation/Circulation

The EIR should include analyses to determine the potential transportation/circulation impacts to the South Beach neighborhood due to both the construction and operation of the proposed project. A discussion of potential impacts due to increased cruise ship operations and related traffic congestion induced by the proposed project should also be included in the EIR. In addition, the EIR should include discussion of potential cumulative transportation/circulation impacts due to neighboring developments under construction or planned for the foreseeable future.

Because the transportation and circulation systems in the South of Market area are under severe strain, and Bryant Street is a major approach to the Bay Bridge, the EIR should develop a cumulative activity schedule to represent the worse case scenario for traffic analysis. This worse case scenario should include the highest level of anticipated cruise operations that will occur in the afternoon, as well as games or events at Pacific Bell Park and afternoon rush hour congestion on surface streets and the Bay Bridge. To determine the afternoon peaking characteristics of surrounding surface streets and the approach to the Bay Bridge, the EIR should conduct a series of surveys to count vehicle throughput rate and volume over a 4-hour period in the afternoon. No matter how "rare" cruise ship operations or baseball games or events occur during this peak, the cumulative activity schedule should represent the worse possible scenario to quantify impacts. Furthermore, this cumulative activity schedule should be used to analyze related air quality impacts (including the dispersion analysis described in 2.2).

2.11 Public Services

San Francisco currently has a tight housing market with high occupancy rates, and any increase in the City's housing stock results in a general increase in City population. Due to an increase in population expected from the housing component of the proposed project, as well as the induced increase in itinerant population (cruise ship passengers), the EIR should discuss impacts to public services including, but not limited to, public schools, libraries, parks and open space, and police and fire protection services.

2.12 Energy

Due to the current energy crisis, attention should be given to all aspects of energy consumption due to the proposed project. The EIR should quantify peak and annual energy consumption of the proposed project and all alternatives, as well as describe the means to provide additional electricity if required. The EIR should also quantify energy impacts due to construction of the proposed project. In addition, the EIR should discuss the cumulative impacts to energy by neighboring developments under construction or planned for the foreseeable future.

2.14 Utilities

Due to an increase in the development of the neighborhood, the EIR should quantify both direct and indirect impacts to utilities due to the proposed project. In addition, the EIR should quantify cumulative impacts to utilities by neighboring developments under construction or planned for the foreseeable future, and discuss required changes to the utility infrastructure and any cumulative indirect impacts to the South Beach neighborhood and the City of San Francisco.

2.15 Cultural Resources

The South Beach neighborhood has undergone tremendous change in the last decade, and is in some danger of losing its historical identity through large development projects. The EIR should quantify the historical connection to the waterfront enjoyed by this neighborhood for over 150 years, including public visual connections to the San Francisco Bay that still exist (such as the Main Street View Corridor). The EIR should document changes to these public visual

connections throughout the years as well as changes resulting from the proposed project. The EIR should quantify all available cultural resources, including, but not limited to, yacht races, windsurfing, naval calls, and herring fishing operations, and any impacts due to the proposed project as well as cumulative impacts to cultural resources by neighboring developments under construction or planned for the foreseeable future.

3. Growth Inducing Impacts

According to the report titled "Alternative Sites for the James R. Herman Cruise Ship Terminal," dated September 2, 1998 by the Port of San Francisco, the existing cruise terminal is effectively limited to 600 passengers at once (Table 5.1), and in 1997 accommodated 77,463 passengers for a total number of 52 calls (Table 3.2). The report goes on to suggest that the existing cruise terminal cannot accommodate additional growth in cruise operations. However, a new cruise terminal could "accommodate 6,000 passengers per day, the highest number of daily passengers expected if the PSA is amended (p.19). This number is dependent on proposed changes to the Passenger Services Act (PSA) that would permit additional cruise operations to be viable for the San Francisco cruise market. If there were no changes to the PSA, a number less than 6,000 passengers per day, but significantly higher than 600 would be anticipated if the proposed project were constructed.

It is reasonable to assume then, that this additional growth could not occur without the proposed project, and as a result would be induced by the introduction of the proposed project. The EIR should analyze the net increase in passengers per day and per year, as well as the net increase in calls with and without the proposed project, and with and without changes to the PSA as a result of the proposed project. This assessment should be discussed and reported in tabular form, and net increases in cruise operations due to the project should be integral to appropriate environmental impact analyses including, but not limited to, Earth (2.1), Air Quality (2.2), Water (2.3), Biological Resources (2.4), Noise (2.5), Light and Glare (2.6), Natural Resources (2.8), Risk of Upset/Human Health (2.9), Transportation/Circulation (2.10), Public Services (2.11), and Energy (2.12).

4. Analysis of Alternatives

The EIR should incorporate analysis of the following alternatives with equal weight given to each (including the proposed project alternative):

4.1 No Action Alternative

The No Action Alternative would report environmental impacts if the proposed project or other "build" alternatives were not constructed. The number of cruise operations would be constrained to those capable of being accommodated by the existing cruise terminal (see 3).

4.2 Minimal Build or Lesser Alternative

The Minimal Build or Lesser Alternative would be similar in scope and scale to Boston's Black Falcon Terminal. Being of smaller scale, the development would not require the same level of subsidy as that of the proposed project. As a result, office space would not need to be located on Piers 30-32 (Public Trust lands), and the housing component would not need to be as massive or contain as many units as that of the proposed project.

4.3 Piers 30-32 and Seawall Lot 337 (or Similar) Alternative

The proposed project seeks to transfer Public Trust land, in the form of Seawall Lot 330, to the developer with the express intent to subsidize the construction of the cruise terminal with profits from the proposed condominium complex proposed for Seawall Lot 330. As estimated construction

costs have risen for the proposed cruise terminal, the density and massing of the proposed condominium complex have increased proportionately, resulting in a potential worsening of environmental impacts. This proposed scenario for "mixed use development" does not require immediate adjacency of the cruise terminal and the condominium complex for the implementation of a successful project.

As a result, the Piers 30-32 and Seawall Lot 337 (or Similar) Alternative would transfer Seawall Lot 337, or a similar Public Trust land to the developer to subsidize the cruise terminal instead of Seawall Lot 330. The intent of this alternative is to lessen the combined impacts of the cruise terminal and condominium complex on the South Beach neighborhood and immediate environs (as in the proposed project), and balance the total projects impacts across a larger geographic area, thereby lessening total impacts to any single area.

This alternative would accommodate the same level of cruise terminal operations as the proposed project. In addition, due to the larger development area of Seawall Lot 337 (or a similar location), this alternative would not require non-compatible land uses (such as office space) to occur on Piers 30-32, but incorporate such uses into the larger seawall lot.

For additional information regarding the Portside Neighborhood Committee's concerns, and discussions with the developer as well as elected and appointed officials regarding the proposed project, please refer to our website at www.portsideviews.org. Thank you again for the opportunity to provide scoping comments on this project, and we look forward to participating in public scoping meetings and any other public outreach efforts during the EIR process.

The Portside Neighborhood Committee

Cc:	Willie L. Brown, Jr.	Mayor of San Francisco
	Tom Ammiano,	President, San Francisco Board of Supervisors
	Chris Daly,	San Francisco Board of Supervisors – District 6, Vice-Chair, Housing, Transportation and Land Use Committee
	Jake McGoldrick,	San Francisco Board of Supervisors, Chairman of Housing, Transportation and Land Use Committee
	Aaron Peskin,	San Francisco Board of Supervisors, Housing, Transportation and Land Use Committee
	Kimberly Brandon,	President, San Francisco Port Commission
	Byron Rhett,	Director, Planning and Development, Port of San Francisco
	Anne Cook,	Port of San Francisco
	Alec Bash,	Port of San Francisco

San Francisco Tomorrow

41 Sutter Street, Suite 1579
San Francisco, CA 94104-4903

July 9, 2001

Rick Cooper
Office of Environmental Review
30 Van Ness
San Francisco, CA 94102

Project: 2000.1229E; San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project

Dear Sir:

San Francisco Tomorrow has long been concerned about appropriate development on San Francisco's waterfront. We welcome the opportunity to participate in the scoping process for the Supplemental EIR on this project.

Alternatives to be Studied. The project as described contains many uses that are not considered appropriate under the Public Trust. The Waterfront Land Use Plan EIR considered the "No Project" alternative to be the required code-compliant alternative. We feel that that is not appropriate in this case, since the core of the project is an acceptable public trust use. We would ask that the code-compliant alternative also be a Trust-compliant alternative that looks at the cruise terminal development with appropriate incidental uses on Piers 30-32, and at a Public Trust Use rather than housing on Seawall Lot 330.

Land Use. Since the proposed use of housing on Seawall Lot 330 is not a Public Trust use, the Port will have to negotiate a land swap with the State Lands Commission, placing a property of equivalent value into the Public Trust. The property under consideration for that Land swap should be analyzed in this SEIR, since its current and future use and zoning may very well be changed by the transfer.

Plans and Policies. Besides the new BCDC Special Area Plan and the Port's Urban Design and Land Use Plan, the SEIR needs to reference San Francisco's Sustainability Plan.

Housing. The project description should make clear how many units (and what percentage of the total units) in this proposed residential development will be made available to those with very low, low and moderate incomes. This SEIR should

analyze how the development proposal addresses the City of San Francisco's housing needs as determined in the Association of Bay Area Governments' Regional Housing Needs Determination.

Jobs. The jobs expected to be produced by this project should be listed by type and by prevailing wage income level. The SEIR should identify the steps and programs, within the context of existing First Source policies, that the developer would use to help target both temporary construction and permanent jobs to San Francisco residents.

Transportation. My understanding is that one-to-one parking is not required for residences in the South Beach area under the current planning code. The parking component of this proposal should be the minimum required by the current planning code. Mitigation can be developed to reduce the need for parking. This could include marketing the parking spaces separately from the dwelling units, locating a car-sharing lot on site, and selling transit passes and maps on-site.

We have some concern that the 450 parking spaces proposed for Piers 30-32 will conflict with the growing popularity of Herb Caen Way as a pedestrian, skating, and skateboarding thoroughfare. We would like this parking analyzed in terms of the number of crossings of Herb Caen Way that would be generated during peak pedestrian usage. We would also like to know the water quality impact on stormwater runoff of this large amount of parking on the pier. Mitigation should include quantifiable steps to reduce the parking need for the project, including transit subsidies for on-site employees.

Air Quality. The specific air quality impacts on the area from the increased maritime traffic need to be analyzed independently of other pollution sources because they must be mitigated separately. While mitigation of these impacts might be difficult, it may be feasible to require mitigation (in the form of reduced emissions) from home-ported vessels, and from ferries and other vessels which may use the berths.

The additional truck and bus traffic at the project could also be expected to add to the particulate pollution. Mitigation could and should be developed to minimize this impact. The Port is working on a clean diesel program on the Southern Waterfront; a similar program should be considered here.

Hydrology and Water Quality. The SEIR should revisit the current setting of San Francisco's sewage and stormwater system. The RWQCB has advised the PUC that they are considering designation of Islais and Mission Creeks as Toxic Hot Spots, a designation that could result in the banning of wet weather sewage discharges at these sites. In addition, the South Beach neighborhood has suffered

numerous sewage backups in past years. This project, even if stormwater continues to be diverted from the central system, will increase the problems in the area.

At a minimum, the project should continue to divert stormwater on-site from the central sewage system, and use on-site stormwater treatment methods to avoid increasing wet-weather sewage overflows. Additionally, the cumulative impacts of this project on the existing sewage treatment system should be analyzed, and long term alternatives to accommodate those increases should be identified.

The SEIR should analyze alternatives for handling and treating bilgewater and other wastes from visiting cruise vessels.

On the Southern Waterfront, the Port has hired a consultant team to develop an advanced stormwater pollution prevention area for the area of Islais Creek. A similar analysis for this project area should be included in the EIR.

The development chosen differs from the RFP issued by the Port in that it calls for placing one of the cruise ship berths on the north side if Pier 30, rather than the south side of Pier 32. How much dredging will have to be done to maintain this berth, and how often will it need to be repeated? Where will the dredge spoils be dumped or reused? What will be the impact on those areas? What are the expected constituents of the dredge spoils. Will the necessity to dredge this berth frequently delay other Port projects? Perhaps an alternative for south side berthing should be analyzed to determine the comparative impacts on water quality and quantity of dredge spoils.

Hazardous Materials. We assume that additional testing of the soil and groundwater in SWL 330 will occur as part of this process, in order to determine whether any toxic hot spots exist that will require more cautious handling.

Thank you for requesting our input.

Sincerely,

Jane Morrison, President
(415) 564-1482

Jennifer Clary, Waterfront Chair
(415) 981-1405

RECEIVED
JUL 1 2
PLANNING DEPT

City and County of San Francisco
Planning Department
1660 Mission Street
5th Floor
San Francisco, CA 94103

Re: Comments on Notice that a Supplemental EIR is Determined to be Required
Project Title: 2000.1229E: San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project
Date: July 12, 2001

To Whom It May Concern:

Please accept the following comments to the above-cited NOP from Bluewater Network. Bluewater Network is a national environmental organization, based in San Francisco, working to combat climate change and fighting environmental damage from the shipping, oil, and motorized recreation industries.

Water Quality
There are likely to be significant impacts of the proposed project on water quality, both in the construction phase and when the cruise terminal is operational. During construction, significant dredging will have to be undertaken. We are very concerned about the impacts of dredging on water quality in this area.

During operation, there will be an elevated risk of pollution from cruise ship operations. Cruise ships generate enormous volumes of waste. A typical cruise ship on a one-week voyage generates more than 50 tons of garbage, several million gallons of wastewater (including blackwater and graywater), as well as significant amounts of hazardous waste.

Furthermore, the cruise industry has a history of polluting the seas. The US General Accounting Office recently reported that, from 1993 to 1998, cruise ships were responsible for 87 confirmed cases of illegal discharges of oil, garbage, and hazardous wastes into US waters. Twelve of these cases occurred in California.

The same cruise ships that come to San Francisco were monitored by the State of Alaska last summer, and treated sewage samples exceeded federal standards for fecal coliform in 75% of the samples, and exceeded standards for total suspended solids in 86% of the samples. No ship tested had been in full compliance with all standards. 75% of graywater samples also revealed levels of fecal coliform that were over five times the regulatory limit for treated sewage. Cruise ships can legally dump treated sewage and graywater anywhere, including San Francisco Bay.

300 Broadway, Suite 28 ~ San Francisco, CA 94133
T: 415.788.3666
BLUEWATER NETWORK
www.bluewaternetwork.org ~ bluewater@earthisland.org
F: 415.788.7324

In addition, the State Lands Commission's records reveal a potential of more than 150 violations of California's Ballast Water Management statute. We are particularly concerned about this problem in regard to the project in question due to the problems with invasions of exotic species in San Francisco Bay.

Air Quality
There is likely to be a significant increase in air pollution with the increase in cruise ship traffic that is to be expected when the cruise terminal becomes operational.

Cruise ships generate air pollution by burning dirty fuels with relatively high sulfur content in diesel engines, and also by burning in shipboard incinerators the large volume of garbage they generate. Particulate matter, sulfur oxides, nitrogen oxides, carbon monoxide from diesel combustion, and dioxin, furans, and other toxics from incineration are all known to have significant impacts on the environment and human health. VOC vapors in vessel fuel tanks that are displaced during refueling are another source of harmful emissions from cruise ships.

Cruise ships were also monitored in Alaska last summer for opacity, and 34 violations of the opacity standard by cruise ships were found. So far this summer there have 22 complaints of excessive smoke from cruise ships in Alaska. We are concerned that there will be significant risks to air quality and human health from the increase in cruise ship traffic that will likely result from this project.

Other concerns
Finally, we are concerned about the project's commercial component. Commercial uses not related to water, such as are proposed in this project, are not typical nor appropriate uses of publicly owned tide lands.

I thank you for this opportunity to comment. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Kira Schmidt
Campaign Director

MORRISON & FOERSTER LLP

SAN FRANCISCO
LOS ANGELES
DENVER
PALO ALTO
WALNUT CREEK
SACRAMENTO
CENTURY CITY
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July 9, 2001

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Writer's Direct Contact
(415) 268-6171
SVettel@mofo.com

Via Facsimile(558-5991) and U.S. Mail

Rick Cooper
Planning Department
30 Van Ness Avenue, 4th Floor
San Francisco, CA 94102

Re: 2000.1229E: San Francisco Cruise Terminal Mixed Use Project SEIR

Dear Rick:

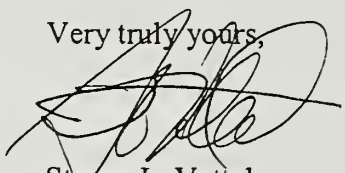
I am writing on behalf of Emerald Fund, Inc. to comment on the scope of the Supplemental EIR for the San Francisco Cruise Terminal Mixed Use Project. Emerald Fund is the developer of the 245-unit 400 Beale Street residential project approximately 1/2 block northwest of Seawall Lot 330 and previously developed the 220-unit Portside residential project directly across Bryant Street from Seawall Lot 330.

Emerald Fund has a grave concern, shared by several other property owners and tenants in the vicinity, about the current massing proposal for the 350-unit residential proposal for Seawall Lot 330. Its current monolithic profile and uninterrupted bulk would cause significant impacts on public and private views, light and air, and visual quality.

We would propose that the SEIR include an alternative for Seawall Lot 330 with a more refined and varied massing, while retaining the same number of dwelling units. This alternative would require the height limit to be increased to approximately 200 feet at the southwest corner of the site (at the corner of Beale and Bryant Streets), with lower building elements across the rest of the site. Enclosed is a possible massing scenario utilizing this concept. We believe such an alternative could significantly reduce visual and other impacts of the project and not cause any new significant impacts.

Thank you in advance for including such an alternative in the SEIR analysis.

Very truly yours,



Steven L. Vettel

cc: S. Osborn Erickson
David Johnson

665 THIRD STREET, SUITE 350
SAN FRANCISCO, CA 94107
CHRISTIANI
JOHNSON
ARCHITECTS

EMBARCADERO
Seawall Lot 330

HEIGHT IN STORIES

9 JULY 01

STATE OF CALIFORNIA GRAY DAVIS, *Governor*

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
FIFTY CALIFORNIA STREET, SUITE 2600
SAN FRANCISCO, CALIFORNIA 94111
PHONE: (415) 352-3600
http://www.bcdc.ca.gov

July 10, 2001

Rick Cooper
City and County of San Francisco
Planning Department
1660 Mission Street, Suite 500
San Francisco, California 94103-2414

Subject: Notice of Preparation Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project (2000.1229E); BCDC Inquiry File No. SF.NW.6903.1

Dear Mr. Cooper:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for a Draft Supplemental Environmental Impact Report (SEIR) for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project. The NOP is dated June 9, 2001 and was received in our office on June 14, 2001. The Commission has not reviewed the NOP, so the following staff comments are based on the *San Francisco Waterfront Special Area Plan*, the *San Francisco Bay Plan*, the McAteer-Petris Act and staff review of the NOP.

Jurisdiction. The Commission has "Bay" jurisdiction over all areas of the Bay subject to tidal action which is defined by the shoreline that extends up to mean high tide, except in marsh areas, where the Commission's Bay jurisdiction extends to five feet above mean sea level. The Commission also has "shoreline band" jurisdiction over an area 100 feet wide inland and parallel to the shoreline. In the case of the piers on the San Francisco Waterfront, the Commission's jurisdiction is described in the *San Francisco Waterfront Special Area Plan* (Special Area Plan). The Special Area Plan describes the uses that can be permitted on the piers, and on new fill in the Bay and the nature of public access that should be provided with development on the piers, the shoreline and the Bay. It appears that the Commission has jurisdiction over the portion of the project in the bay, on the piers and on the shoreline on the Bay side of the Embarcadero roadway. The project elements on Seawall Lot 330 are not within the Commission's jurisdiction.

McAteer-Petris Act. Section 66605 of the McAteer-Petris Act states, in part, that "...further filling of San Francisco Bay... should be authorized only when public benefits from fill clearly exceed public detriment from the loss of the water areas and should be limited to water-oriented uses (such as ports, water-related industry, airports, bridges, wildlife refuges, water-oriented recreation and public assembly, ...)

or minor fill for improving shoreline appearance or public access to the Bay; ...that fill in the Bay... for any purpose should be authorized only when no alternative upland location is available for such purposes; ...that the water area authorized to be filled should be the minimum necessary to achieve the purpose of the fill; ...that the nature, location and extent of any fill should be such that it will minimize harmful effects to the Bay Area, such as, the reduction or impairment of the volume surface area or circulation of water, water quality, fertility of marshes or fish or wildlife resources, or other conditions impacting the environment, as defined in Section 21060.5 of the Public Resources Code. That fill should be authorized when the filling would, to the maximum extent feasible, establish a permanent shoreline."

This authority limits the uses for which the Commission can authorize Bay fill and requires that when fill is authorized, the amount is limited to minimum amount necessary. The SEIR should discuss any new Bay fill proposed, and whether the fill would be for a water-oriented use identified in the McAteer-Petris Act, and whether it would be the minimum necessary, would minimize harmful effects to the Bay and establish a permanent shoreline.

Section 66602 of the McAteer-Petris Act states, in part, that "...existing public access to the shoreline and waters of the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided." The SEIR should discuss whether the project would provide the maximum feasible public access consistent with the project. For a more detailed discussion of the Commission's public access policies, see the *San Francisco Bay Plan* and the *San Francisco Waterfront Special Area Plan*.

San Francisco Bay Plan Policies Appearance Design and Scenic Views. The Bay Plan Policies on Appearance Design and Scenic Views state, in part, that "...all bayfront development should be designed to enhance the pleasure of the user or viewer of the Bay. Maximum efforts should be made to provide, enhance or preserve views of the Bay and shoreline, especially from public areas... Shoreline developments should be built in clusters, leaving open area around them to permit more frequent views of the Bay... Views of the Bay from...roads should be maintained by appropriate arrangements and heights of all developments and landscaping between the view areas and the water." The Bay Plan Map No. 4 designates the Bay Bridge as a scenic roadway.

The draft SEIR should discuss the effect, if any, the project would have on public views of the Bay, particularly down street corridors. Also, the DEIR should discuss the effects, if any, on views of the Bay and the San Francisco Waterfront from the Bay Bridge, since the Bay Bridge is identified as a scenic roadway in the Bay Plan.

Bay Plan Policies on Public Access. The Commission can only approve a project within its jurisdiction if it provides maximum feasible public access, consistent with the project. The Bay Plan policies on public access state, in part, that:

> "...in addition to the public access to the Bay provided by waterfront parks, beaches, marinas, and fishing piers, maximum feasible access to and along the waterfront and on any permitted fills should be provided in, and through, every new development in the Bay or on the shoreline... Whenever public access to the Bay is provided as a condition of development, on fill or on the shoreline, the access should be permanently guaranteed... Public access improvements provided as a condition of any approval should be consistent with the project and the physical environment, including protection of natural resources, and provide for the public's safety and convenience. The improvements should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline, should permit barrier-free access for the physically handicapped to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs... Access to the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available..."

The SEIR should discuss whether project would provide the maximum feasible public access consistent with the project, based on the public access policies in the San Francisco Bay Plan.

San Francisco Bay Plan Dredging Policies. The Bay Plan Dredging Policies state, in part, that "...[d]redging and dredged material disposal should be conducted in an environmentally and economically sound manner. Dredgers should reduce disposal in the Bay over time to achieve the LTMS goal of limiting in-Bay disposal volumes to a maximum of one million cubic yards per year... Dredging should be authorized when the Commission can find: (a) the applicant has demonstrated that the dredging is needed to serve a water-oriented use or other important public purpose; (b) the materials to be dredged meet the water quality requirements of the San Francisco Bay Regional Water Quality Control Board; (c) important fisheries and Bay natural resources would be protected...; (d) the siting and design of the project will result in the minimum dredging volume necessary for the project; and (e) the materials would be disposed of in accordance with Policy 3... Dredged materials should, if feasible, be reused or disposed outside the Commission's Bay and certain waterway jurisdictions. Except when reused in an approved fill project, dredged material should not be disposed in the Commission's Bay and certain waterway jurisdiction unless disposal outside these areas is infeasible..." The SEIR should describe the amount of new and maintenance dredging that the project will require and evaluate the proposed dredging using the Bay Plan dredging policies.

San Francisco Bay Plan Safety of Fills Policies. The Bay Plan policies regarding safety of fills state, in part, that, "...[e]ven if the Bay plan indicates that a fill may be permissible, no fill or building should be constructed if hazards cannot be overcome ade-

quately for the intended use in accordance with the criteria prescribed by the Engineering Criteria Review Board... The Commission has appointed the Engineering Criteria Review Board consisting of geologists, civil engineers specializing in geotechnical and coastal engineering, structural engineers, and architects competent to and adequately-empowered to (a) establish and revise safety criteria for Bay fills and structures thereon, (b) review all except minor projects for the adequacy of their specific safety provisions, and make recommendations concerning these provisions, (c) prescribe an inspection system to assure placement of fill according to approved designs..." The SEIR should discuss the safety measures that would be implemented to ensure that any proposed fill would be consistent with the Bay Plan policies regarding the safety of fills.

San Francisco Bay Plan Water Quality Policies. The Bay Plan Policies regarding water quality state, in part, that "...[w]ater quality in all parts of the Bay should be maintained at a level that will support and promote the beneficial uses of the Bay as identified in the Regional Water Quality Control Board's Basin Plan. The policies, recommendations, decisions, advice and authority of the State Water Resources Control Board and the Regional Water Quality Control Board, should be the basis for carrying out the Commission's water quality responsibilities... Shoreline projects should be designed and constructed in a manner that reduces soil erosion and protects the Bay from increased sedimentation through the use of appropriate erosion control practices... Polluted runoff from projects should be controlled by the use of best management practices in order to protect the water quality and beneficial uses of the Bay, especially where water dispersion is poor and near shellfish beds and other significant biotic resources. Whenever possible, runoff discharge points should be located where the discharge will have the least impact. Approval of projects involving shoreline areas polluted with hazardous substances should be conditioned so that they will not cause harm to the public or the beneficial uses of the Bay." The SEIR should discuss any potential water quality impacts from the project that may affect the Bay waters, and the discussion should address the relevant Bay Plan water quality policies .

San Francisco Waterfront Special Area Plan. The SEIR should evaluate the proposed project using general policy numbers 6, "Required Public Access", and 7, "View Corridors," in the Special Area Plan. The majority of the policies in the Northeastern Waterfront section of the *San Francisco Waterfront Special Area Plan* are relevant for the proposed projects. The SEIR should discuss whether the proposed uses would be consistent with the Public Trust Doctrine and the Port's legislative trust grant. The open water basin policies should be used to evaluate the project, particularly the policies specific to the South Beach Open Water Basin. The project is also adjacent to the open water area north of Pier 30 and the SEIR should evaluate the project relative to the Open Water Area policies in the Special Area Plan. The policies on

public plazas, specifically the policies that address the Brannan Street Wharf should be discussed in the SEIR. In addition the policies on Public Access, Bay Views, Waterfront Design and Transportation and Parking are relevant to this project and should be discussed in the SEIR.

Existing BCDC Permits. The SEIR should discuss the effects the project would have on existing public access required by the Commission in this area. The Commission issued Permit No. 8-90, as amended, to the City and County of San Francisco and the San Francisco Port Commission that requires shoreline public access in the project area. The Commission also issued Permit No. 5-96 for a marina at Pier 38 adjacent to the project site. The draft EIR should evaluate whether the project would affect public views or solar access to these required public access areas.

Thank you for the opportunity to comment on the NOP for the Preparation Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project. If you have any questions regarding this letter, or any other matter, please do not hesitate to contact me by phone at (415) 352-3656 or by e-mail at joel@bcdc.ca.gov.

Sincerely,

JOSEPH LaCLAIR
Senior Planner

JL/aa

cc: Katie Shulte Joung, State Clearinghouse

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Northwest Information Center
Sonoma State University
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Rohnert Park, California 94928-3609
Tel: 707.664.2494 • Fax: 707.664.3947
E-mail: nwic@sonoma.edu

21 June 2001

File # 01-SF-57E

Mr. Rick Cooper
City and County of San Francisco
Planning Department
1660 Mission Street, 5th Floor
San Francisco, CA. 94103

re: 2000.1229E: San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project

Dear Mr. Cooper;

Records at this office were reviewed to determine if this project could adversely affect historical resources. The review for possible historic buildings, however, was limited to references currently in our office. The Office of Historic Preservation has determined that any building or structure 45 years or older may be of historic value. Therefore, if the project area contains such properties they should be evaluated by an architectural historian prior to commencement of project activities. **Please note that use of the term historical resources includes both archaeological sites and historic buildings.**

___ The proposed project area contains or is adjacent to the archaeological site(s) ( ). A study is recommended prior to commencement of project activities.

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study is recommended prior to commencement of project activities.

____Study # identified one or more historical resources. It is recommended that a qualified archaeologist assess the status of the site and provide project specific recommendations.

____ Study # identified no historical resources. Further study for historical resources is not recommended.

___ There is a low possibility of historical resources. Further study for historical resources is not recommended at this time.

XX The guidelines for implementation of the California Register of Historical Resources (Cal Register) criteria for evaluation of historical properties has been developed by the State Office of Historical Preservation. For the purposes of CEQA, all identified archaeological sites should be evaluated using the Cal Register criteria.

XX Our review is based on scientific information. In addition, we recommend you contact the local tribe(s) regarding traditional, cultural, and religious values.

____Comments:

If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 664-2494.

Sincerely,

K. Thorne, for
Leigh Jordan
Coordinator

APPENDIX B

BCDC SPECIAL AREA PLAN EXCERPTS REGARDING THE PROPOSED PROJECTS

e. The proposed project would not conflict with the adopted plans of any agency of local, regional, state or federal government having jurisdiction over the area proposed for the fill; or be in an area where government agencies have not planned or budgeted for projects that would provide adequate access to the Bay.

f. The proposed project would establish a permanent shoreline through dedication of lands and other permanent restrictions on all publicly-owned property bayward of the piers.

g. The proposed project would provide, to the maximum extent feasible, for enhancement of fish and wildlife and other natural resources in the area, and in no event would result in net adverse impact to these values.

Open Water Basins (see Figure 1)

Permitted Uses:

WATER-RELATED RECREATION
WATER TRANSPORTATION (E.G., FERRIES, WATER TAXIS, AND EXCURSION BOATS)
LIMITED PUBLIC ACCESS
AT PIER 32 ONLY: LIMITED BAY-ORIENTED COMMERCIAL RECREATION AND BAY-ORIENTED PUBLIC ASSEMBLY

Policies:

1. Open Water Basins should be focal points of public use and enjoyment of the Northeastern Waterfront. Open Water Basins should provide opportunities for physical access between the Bay and piers and should provide new and substantial Bay views from the boundary piers framing the Open Water Basins.

2. Preserve or create four Open Water Basins, including the removal of certain piers, to enable permanent enjoyment of the Bay at the following locations:

   a. The "Northeast Wharf Open Water Basin" between Piers 19 and 27, including removal of a portion of the Pier 23 shed to improve Bay views. The removal of the Pier 23 shed should include at least 315 feet of the easternmost portion of the shed. Any additional removal should reflect the historic preservation goals of this plan, and the Port's and City's plan policies. The Pier 23 deck supporting that part of the Pier 23 shed that would be removed, may be removed or may be retained and used for public access purposes, including access to transient and temporary non-commercial recreational boat berthing;

   b. The "Broadway Open Water Basin" between Piers 3 and 9;

   c. The "Rincon Point Open Water Basin" from the southern end of the Agriculture Building and Downtown Ferry Terminal breakwater to Pier 22-1/2; and

   d. The "Brannan Street Wharf Open Water Basin" between Piers 32 and 38, including the removal of Piers 34 and 36.

3. Within Open Water Basins, limit new fill to:

   a. Mooring buoys and pile-supported or floating platforms for non-commercial, transient boats to provide shoreline access.

   b. Berthing facilities, such as mooring dolphins and buoys, pile-supported or floating platforms, etc., for berthing of commercial vessels (vessels up to approximately 300 feet in length) and temporary ceremonial and visiting ships at the boundary of the Open Water Basins, as provided below.

      i) In the Northeast Wharf Open Water Basin, at Pier 27, facilities may be permitted for temporary berthing of ceremonial and visiting ships that do not extend landward of the Pier 27 shed (as partially removed to create the Northeast Wharf Plaza). At Pier 23, facilities may be permitted for lay berthing of boats on the south apron, provided berthing does not extend Bayward of the Pier 23 shed (as partially removed, see Open Water Basin policy 2 above);

      ii) In the Broadway Open Water Basin, existing berthing facilities for the historic Ferry Boat Santa Rosa and Bar Pilots should continue to be allowed. Limited lay berthing of public transportation and excursion vessels, up to about 300 feet in length, and temporary berthing of ceremonial and visiting ships should be allowed as long as the berthing of moored vessels is balanced with the preservation of views and the need to provide pier frontage for transient berthing;

      iii) In the Rincon Point Open Water Basin, lay berthing is only permitted for fireboats at Pier 22-1/2. There should be no new berthing facilities except for limited numbers of mooring dolphins or buoys for non-commercial, transient boating, which may be permitted if it is determined that they would add interest to and improve Bay views in this Basin; and

      iv) At Pier 32, berthing facilities may also be permitted for cruise ships.

   c. At Pier 32, new pile-supported fill for public access, limited Bay-oriented commercial recreation and Bay-oriented public assembly, provided that the new pile-supported fill is offset by removal of an equivalent amount of pile-supported fill elsewhere on Pier 32, and the new pile-supported fill will not adversely affect the public qualities of the Open Water Basin.

   d. At Pier 32, limited new pile-supported fill for public access, if public access on the existing pier and as provided under policy 3-c above is in excess of 35 percent of the existing pier area, provided that the new fill:

      i) is devoted solely to public access;

      ii) improves the public qualities of the Open Water Basin by providing more and better views of the Bay and provides extraordinary public access benefits, all of which could not otherwise be achieved without the additional pile-supported fill; and

      iii) is the minimum necessary to achieve the criteria established in 3-d-ii above.

e. Minor fill for improving shoreline appearance or public access to the Bay, consistent with the Commission's regulations.

f. Seismic and safety repairs to an existing pier that is not being wholly reconstructed.

Public Plazas

Permitted Uses (within plazas):

WATER-RELATED RECREATION
PASSIVE RECREATION
PUBLIC EVENTS
TEMPORARY, BAY-ORIENTED COMMERCIAL RECREATION AND BAY ORIENTED PUBLIC ASSEMBLY

Policies:

Brannan Street Wharf

1. Create "Brannan Street Wharf," a major waterfront park in the area of Piers 34 and 36, to serve the South Beach neighborhood, San Francisco and the region. The park should be a minimum of 57,000 square feet in size extending at least 600 feet along The Embarcadero, Bayward of and not including Herb Caen Way. Brannan Street Park should reflect the character and needs of the South Beach neighborhood and visitors to the area, should establish a unique activity center, should provide a respite between the adjacent, more intensively developed areas, and should accommodate a variety of passive recreational activities and serve as both a local and regional destination.
2. Piers 34 and 36 should be removed to create new permanent open water beyond the Brannan Street Wharf. Portions of these piers can remain and be incorporated into the Brannan Street Wharf, provided that these remnants are structurally sound. Otherwise, the entirety of these piers and marginal wharf areas between them should be removed and partially replaced. Pier removal and park construction should result in a net fill reduction of approximately 140,000 square feet. The Park may be expanded up to 1,000 feet in length to include one or both of the marginal wharves to the north and south, one between Piers 34 and 32, and one between Piers 36 and 38. If the Park is not to be expanded to include either or both of the two marginal wharves, they should be removed to create open water.
3. Uses that should be considered in the program for the Park include informal small play fields (e.g., volleyball), tot lots or other facilities for children, viewing areas, picnic areas, and other uses consistent with a recreational park theme. On the water side, uses to be considered include transient boat tie-ups, kayak and other hand-held craft launch and landing areas and related, water-oriented recreation facilities in order to enliven the adjacent new Park.
4. The design of the Park should integrate well with Herb Caen Way.
5. A cohesive design treatment should be applied to the entire Open Water Basin edge, including the south apron of Pier 32, the park and the north apron of Pier 38.

6. Detailed Park design should be developed through a community planning process, including the South Beach community, citywide and regional representatives, and should successfully address the following:
   a. Reflect the Park's location over the Bay.
   b. Provide viewing areas, seating and picnic areas.
   c. Provide for other uses consistent with a recreational park, such as fountains, interpretive signs, a small amphitheater, sheltered areas for activities such as chess and checkers, fish cleaning facilities, public art, water stairs (designed to limit algae growth) and other appropriate site furnishings.
7. The park users should be served primarily by new commercial uses at Pier 30-32 and Pier 38 with accessory commercial uses in the Park limited, clearly incidental to and supportive of the park uses, such as food carts and small kiosks. These should be concentrated within the existing marginal wharf areas to either side of the new Park or located so that they do not interfere with the recreational use of the Park.
8. Permit only maintenance and emergency vehicle access within the Park.

Northeast Wharf Plaza

1. Create a "Northeast Wharf Plaza," as a new, major, destination plaza between Piers 23 and 29 along The Embarcadero, opening up views from Lombard Street and The Embarcadero to the Bay, Yerba Buena and Treasure Islands, and the Bay Bridge. The approximately 2-acre plaza should be designed to function as a major attraction for visitors and residents. In addition, provide open space around the Beltline Railroad Office Annex building if it remains in its present location, and maintain unobstructed views from the Annex across the plaza to the Bay. The Plaza should be oriented to the Open Water Basin between Piers 27 and 19.
2. To create this plaza, remove approximately 56,000 square feet of the Pier 27 shed (384 feet in length as measured from its southwest corner near Pier 23 and 224 feet in length as measured from the northwest corner near Lombard Street), and remove the Pier 27 Annex Building (the two-story, modern office building). See Figure 2 illustrating the plaza boundaries and footprint.
3. Commercial Active Recreation Use of Northeast Wharf Plaza: In the event that the Pier 27/29 complex is developed as a private commercial facility for active recreation, (e.g., gymnastics, swimming, racquetball, etc.), and only in that event, an approximately 15,000 square foot portion of the Northeast Wharf Plaza may be used by the developer for commercial, outdoor recreation activities, provided that the following conditions are met:
   a. The 15,000-square-foot area is confined to the area located and illustrated on SAP Figure 2.
   b. The commercial use serves an important active recreation need of the residents of the City and of the Bay region.

a. In conjunction with the State Lands Commission, review and advise the Port on development and design objectives in Requests for Proposals that it proposes to issue for waterfront projects.

b. In conjunction with the State Lands Commission, at the pre-application stage, review proposed waterfront projects and advise prospective developers concerning the consistency of the project with the Special Area Plan and the provisions of the agencies' laws and policies.

c. Coordinate and review staff reports for the joint design review process.

d. Coordinate project environmental document preparation for the Port Commission and BCDC hearings on proposed projects.

e. attend the hearings of the Port Commission and BCDC when waterfront projects are considered by the respective commissions;

f. attend the joint meetings of the City and BCDC's design review boards;

g. conduct workshops with community groups on waterfront planning and related matters;

h. conduct additional waterfront planning when the project is part of each agency's work program; and

i. regularly inform and coordinate on planning and project matters within the area of the Special Area Plan.

3. *Joint Design Review Process.* To achieve a high level of design quality in waterfront development, ensure consistency in agency comments and requirements for the design of proposed waterfront projects, and to simplify and streamline the project review process, the Port and BCDC will establish a joint design review process for projects proposed within the area of the Special Area Plan. This joint design review process will entail joint meetings of BCDC's Design Review Board and the Port and City's Waterfront Design Advisory Committee. These two design groups will consider the design issues that are pertinent to the authority of each of the agencies, and advise BCDC, the Port and the City on design matters pertinent to each of the agencies' authority.

4. The Port will:

a. Amend the Waterfront Land Use Plan consistent with this SAP.

b. Finance and/or obtain funding from other sources to fund pier removal and development of the parks and plazas identified in these Implementation Requirements through a dedicated fund. The Port will contribute to the fund a total of up to $30 million over a 20-year period The Port will proceed to remove piers and develop the plazas, as identified in this SAP, through an aggressive financing and development strategy, including:

i) pursuit of all available grants; and

ii) use of developer fees or contributions where consistent with project financing and feasibility.

c. Remove Pier 34 within one year of BCDC's adoption of amendments to the SAP.

d. Remove Pier 24 within three years of BCDC's adoption of amendments to the SAP.

e. Upon Port issuance of a certificate of occupancy for the major reuse of Piers 30-32, or a comparable major development, in addition to that provided for in Implementation Requirement 4-f below, carry out the public benefits projects below:

   i) Construct Phase 1, the northern portion of the Brannan Street Wharf (in the area of Pier 34 and north) within 5 years;

   ii) Remove Pier 36 within 15 years; and

   iii) Complete the Brannan Street Wharf within 15 years if necessary grants or other funding are available, or within 20 years if necessary grants or other funding are not available.

f. Upon Port issuance of a certificate of occupancy for the major reuse of Piers 27-31, or a comparable major development, in addition to that provided for in Implementation Requirement 4-e above, carry out the following public benefits:

   i) Complete Phase 1 of the Northeast Wharf Plaza by removing that portion of the Pier 27 shed required to create the Plaza and make it, the pier perimeter area, and the area adjacent to The Embarcadero, as shown in Figure 2 "Northeast Wharf Plaza," accessible and useable by the public prior to the Port issuing a certificate of occupancy for the Pier 27-31 development.

   ii) Complete the Northeast Waterfront Plaza within 15 years if necessary grants or other funding are available, or within 20 years if necessary grants or other funding are not available.

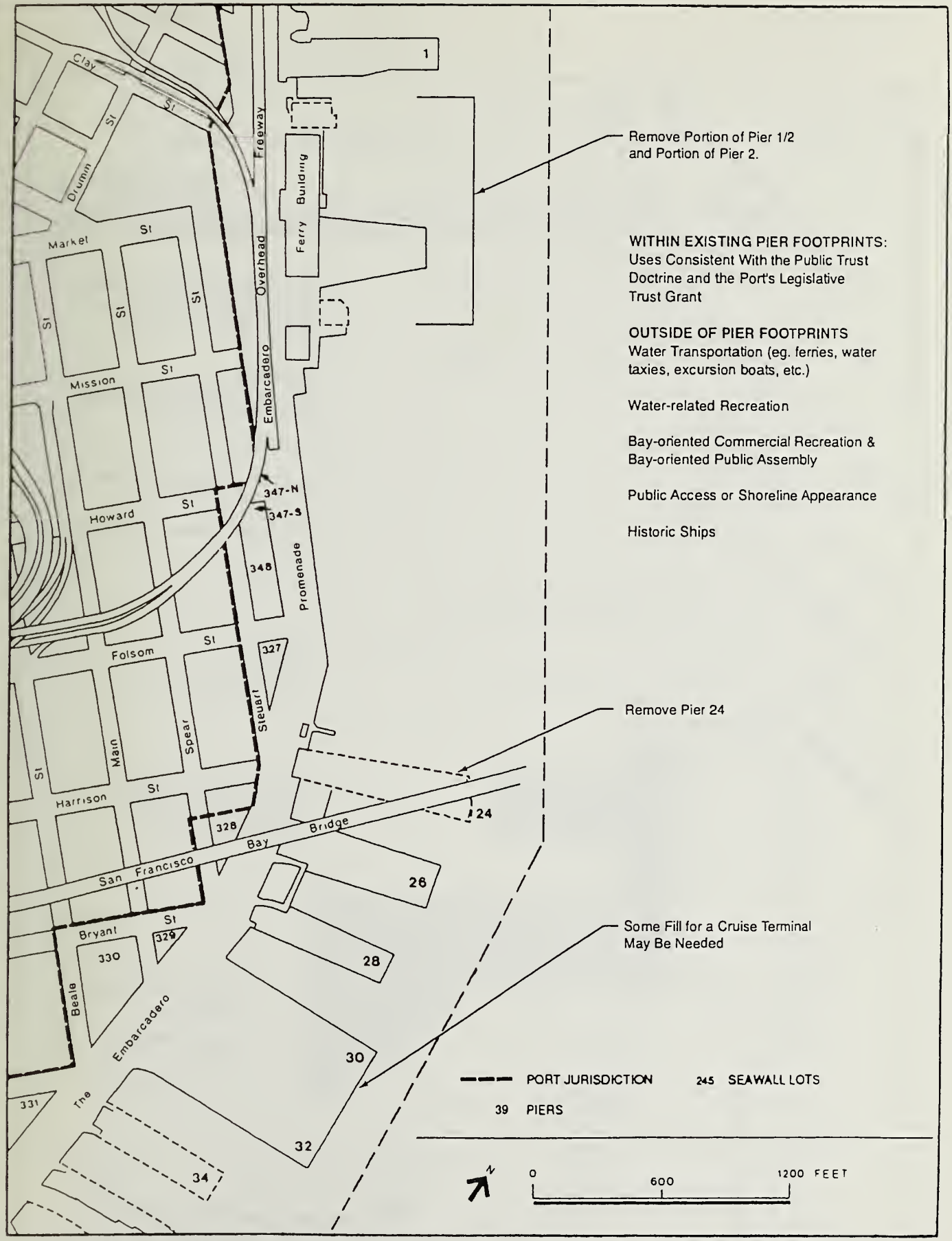
   iii) Remove the portion of the Pier 23 shed consistent with the Open Water Basin policies of this SAP within 15 years.

   iv) Remove the deck and pilings that form the "valley" between Pier 17 and Pier 15 and the non-historic shed additions within 20 years.

   Any BCDC permit issued for major reuse of Piers 27-31 should include reasonable provision for vehicle access to the project site.

g. Take into account unforeseen circumstances and with the mutual consent of BCDC, the Port may modify the time performance obligations in these Plan Implementation Requirements. Further, if no major projects occur, but the Port obtains substantial benefits under the provisions of this SAP, then the Port and BCDC will revise the Implementation Requirements so that the plazas and pier removals will proceed at a pace consistent with such benefits.

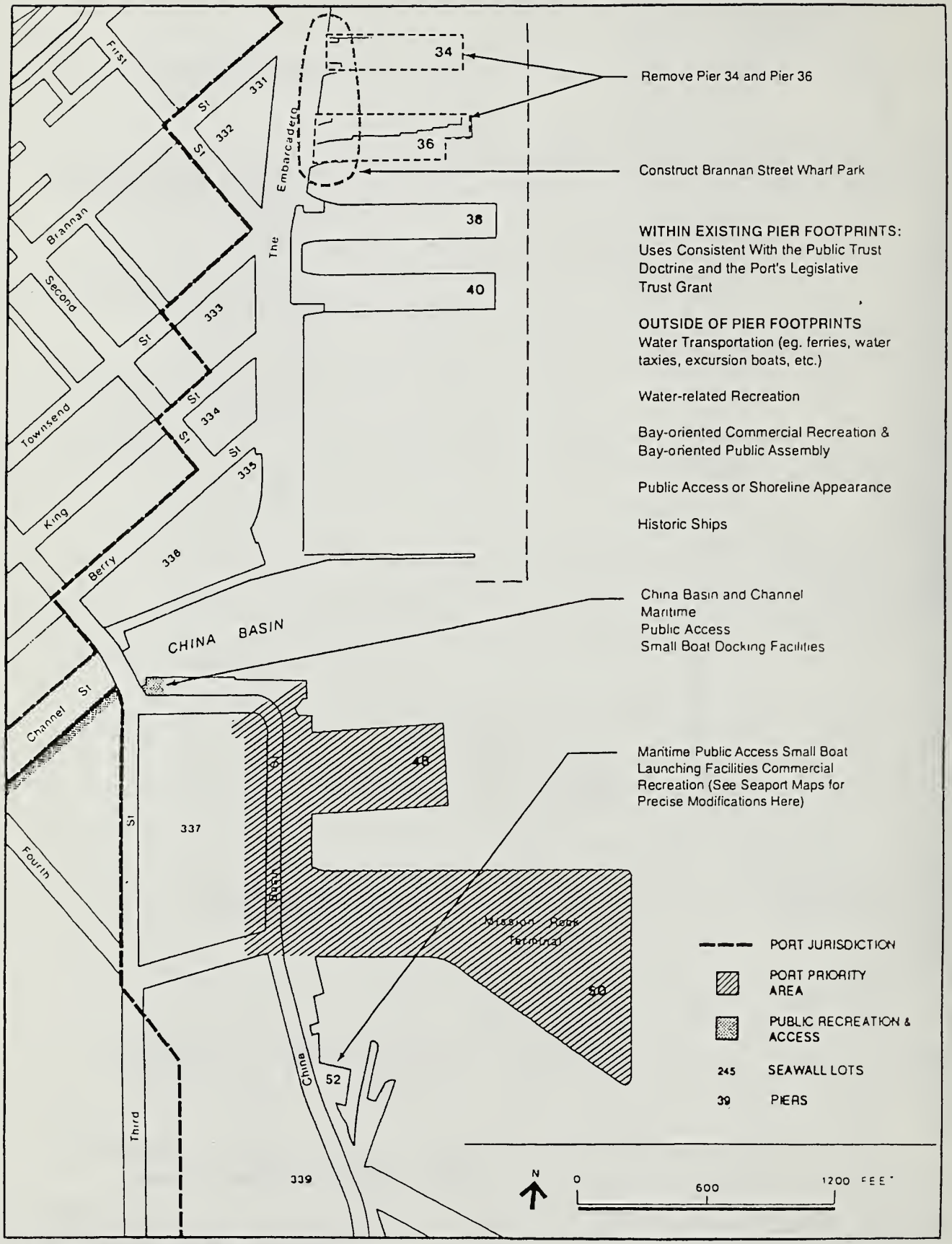
h. Prepare, in consultation with BCDC and Save the Bay, milestones and associated target completion dates for the funding and removal of the piers



Note Map for reference only See relevant policies and recommendations
Base map has been updated to reflect current conditions.

SPECIAL AREA PLAN MAP 3

(Proposed Amended Plan Map)



Note Map for reference only See relevant policies and recommendations
Base map has been updated to reflect current conditions.

SPECIAL AREA PLAN MAP 4
(Proposed Amended Plan Map)

APPENDIX C
SHIP EMISSIONS CALCULATIONS

Ship Size	Gross Tonnage	Increase in # of calls/year over existing		Mode	Time in Mode/call hrs	Load factor in Mode	Engine bHp	hp in mode	kW in mode	kWh in mode	Emission Factors (g/kWh)				Emissions (lbs/mode)				Year 2001 Emissions (lbs/day)					Year 2004/2020 Emissions (lbs/day)				
		2004	2020								CO	HC	NOx	PM	CO	HC	NOx	PM	# ships/day	CO	HC	NOx	PM	# ships/day	CO	HC	NOx	PM
Small	< 45,000	3	11	Cruising	2.00	30	28955	8686.5	11648.79	23297.57521	1.60	0.50	16.17	1.37	82.01	25.63	828.79	70.22	0	0.00	0.00	0.00	0.00	1	82.01	25.63	828.79	70.22
E.g., Norwegian Crown				Maneuvering	0.50	15	28955	4343.25	5824.39	2912.196901	2.43	0.76	23.96	1.37	15.58	4.87	153.51	8.78	0	0.00	0.00	0.00	0.00	1	15.58	4.87	153.51	8.78
				Hotelling	9.00	---	---	---	---	---	704.55	1263.64	6686.36	263.64	13.95	25.02	132.39	5.22	0	0.00	0.00	0.00	0.00	1	13.95	25.02	132.39	5.22
Medium	45,000 - 70,000	11	26	Cruising	2.00	30	46985	14095.5	18902.38	37804.7512	1.60	0.50	16.17	1.37	133.07	41.59	1344.87	113.94	0	0.00	0.00	0.00	0.00	0	0.00	0.00	0.00	0.00
E.g., Crystal Harmony				Maneuvering	0.50	15	46985	7047.75	9451.19	4725.5939	2.43	0.76	23.96	1.37	25.28	7.90	249.10	14.24	0	0.00	0.00	0.00	0.00	0	0.00	0.00	0.00	0.00
				Hotelling	9.00	---	---	---	---	---	704.55	1263.64	6686.36	263.64	13.95	25.02	132.39	5.22	0	0.00	0.00	0.00	0.00	0	0.00	0.00	0.00	0.00
Large	> 70,000	15	30	Cruising	2.00	30	62646	18793.8	25202.90	50405.79853	1.60	0.50	16.17	1.37	177.43	55.45	1793.14	151.92	1	177.43	55.45	1793.14	151.92	1	177.43	55.45	1793.14	151.92
E.g., Sun Princess				Maneuvering	0.50	15	62646	9396.9	12601.45	6300.724816	2.43	0.76	23.96	1.37	33.71	10.53	332.12	18.99	1	33.71	10.53	332.12	18.99	1	33.71	10.53	332.12	18.99
				Hotelling	9.00	---	---	---	---	---	704.55	1263.64	6686.36	263.64	13.95	25.02	132.39	5.22	1	13.95	25.02	132.39	5.22	1	13.95	25.02	132.39	5.22
TOTAL																			1	225.1	91.0	2257.6	176.1	2	336.6	146.5	3372.3	260.3
Boilers											Emission Factors (g/hr)				Emissions (lbs/mode)													
Small	< 45,000	3	11	Hotelling	9	---	---	---	---	---	509.09	36.36	1213.64	127.27	10.08	0.72	24.03	2.52	0	0.00	0.00	0.00	0.00	1	10.08	0.72	24.03	2.52
Medium	45,000 - 70,000	11	26	Hotelling	9	---	---	---	---	---	509.09	36.36	1213.64	127.27	10.08	0.72	24.03	2.52	0	0.00	0.00	0.00	0.00	0	0.00	0.00	0.00	0.00
Large	> 70,000	15	30	Hotelling	9	---	---	---	---	---	509.09	36.36	1213.64	127.27	10.08	0.72	24.03	2.52	1	10.08	0.72	24.03	2.52	1	10.08	0.72	24.03	2.52
																			1	10.08	0.72	24.03	2.52	2	20.16	1.44	48.06	5.04
Tugs	# of tugs/day										Emission Factors (lbs/1-way trip)																	
All	1										2.09	0.00	13.78	0.58					0	0.00	0.00	0.00	0.00	1	2.09	0.00	13.78	0.58
TOTAL																				235.2	91.7	2281.7	178.7		358.9	148.0	3434.2	266.0

Notes:
Emission factors for main engine hotelling emissions are in g/hr.

Summary of Increase in Emissions over 2001 (lbs/day)					
	Increase in # of ships/day	CO	ROG/HC	NOx	PM
2004 & 2020	1	123.71	56.24	1152.50	87.32

Ship Size	Mode	Time in Mode per call hrs	Load factor during Mode	Engine bHp	hp in mode	kW in mode	kWh in mode	Emission Factors (g/kWh)				Emissions (tons/mode)				Year 2001 Emissions (tons/year)					Year 2004 Emissions (tons/year)					Year 2020 Emissions (tons/year)				
								CO	HC	NOx	PM	CO	HC	NOx	PM	# of ships	CO	HC	NOx	PM	# of ships	CO	HC	NOx	PM	# of ships	CO	HC	NOx	PM
Main Engine Emissions																														
Small	Cruising	2.00	30	28955	8686.5	11648.8	23297.6	1.60	0.50	16.17	1.37	0.04	0.01	0.38	0.03	10	0.37	0.12	3.77	0.32	13	0.48	0.15	4.90	0.41	21	0.78	0.24	7.91	0.67
	Maneuvering	0.50	15	28955	4343.3	5824.4	2912.2	2.43	0.76	23.96	1.37	0.01	0.00	0.07	0.00	10	0.07	0.02	0.70	0.04	13	0.09	0.03	0.91	0.05	21	0.15	0.05	1.47	0.08
	Hotelling	9.00	---	---	---	---	---	704.55	1263.64	6686.36	263.64	0.01	0.01	0.06	0.00	10	0.06	0.11	0.60	0.02	13	0.08	0.15	0.78	0.03	21	0.13	0.24	1.26	0.05
Medium	Cruising	2.00	30	46985	14095.5	18902.4	37804.8	1.60	0.50	16.17	1.37	0.06	0.02	0.61	0.05	17	1.03	0.32	10.39	0.88	28	1.69	0.53	17.12	1.45	43	2.60	0.81	26.29	2.23
	Maneuvering	0.50	15	46985	7047.8	9451.2	4725.6	2.43	0.76	23.96	1.37	0.01	0.00	0.11	0.01	17	0.20	0.06	1.92	0.11	28	0.32	0.10	3.17	0.18	43	0.49	0.15	4.87	0.28
	Hotelling	9.00	---	---	---	---	---	704.55	1263.64	6686.36	263.64	0.01	0.01	0.06	0.00	17	0.11	0.19	1.02	0.04	28	0.18	0.32	1.68	0.07	43	0.27	0.49	2.59	0.10
Large	Cruising	2.00	30	62646	18793.8	25202.9	50405.8	1.60	0.50	16.17	1.37	0.08	0.03	0.82	0.07	13	1.05	0.33	10.60	0.90	28	2.26	0.71	22.82	1.93	43	3.47	1.08	35.05	2.97
	Maneuvering	0.50	15	62646	9396.9	12601.4	6300.7	2.43	0.76	23.96	1.37	0.02	0.00	0.15	0.01	13	0.20	0.06	1.96	0.11	28	0.43	0.13	4.23	0.24	43	0.66	0.21	6.49	0.37
	Hotelling	9.00	---	---	---	---	---	704.55	1263.64	6686.36	263.64	0.01	0.01	0.06	0.00	13	0.08	0.15	0.78	0.03	28	0.18	0.32	1.68	0.07	43	0.27	0.49	2.59	0.10
																40	3.17	1.37	31.75	2.45	69	5.72	2.43	57.29	4.44	107	8.83	3.76	88.51	6.85
Boilers								Emission Factors (g/hr)				Emissions (tons/mode)																			
Small	Hotelling	9	---	---	---	---	---	509.09	36.36	1213.64	127.27	0.00	0.00	0.01	0.00	10	0.05	0.00	0.11	0.01	13	0.06	0.00	0.14	0.01	21	0.10	0.01	0.23	0.02
Medium	Hotelling	9	---	---	---	---	---	509.09	36.36	1213.64	127.27	0.00	0.00	0.01	0.00	17	0.08	0.01	0.19	0.02	28	0.13	0.01	0.31	0.03	43	0.20	0.01	0.47	0.05
Large	Hotelling	9	---	---	---	---	---	509.09	36.36	1213.64	127.27	0.00	0.00	0.01	0.00	13	0.06	0.00	0.14	0.01	28	0.13	0.01	0.31	0.03	43	0.20	0.01	0.47	0.05
																40	0.18	0.01	0.44	0.05	69	0.32	0.02	0.75	0.08	107	0.49	0.04	1.17	0.12
Tugs	# of tugs											Emissions (lbs/trip)																			
All	15											2.09	0.00	13.78	0.58	0	0.00	0.00	0.00	0.00	15	0.02	0.00	0.10	0.00	15	0.02	0.00	0.10	0.00
TOTAL																	3.35	1.38	32.18	2.50	153.00	6.05	2.46	58.15	4.52	229.00	9.34	3.80	89.78	6.98

Summary of Increase in Emissions over 2001 (tons/year)					
	# of ships	CO	ROG/HC	NOx	PM
2004	29	2.70	1.08	25.96	2.02
2020	67	5.99	2.42	57.60	4.48

Analysis Years 2004 and 2020		
Daily Emissions (lbs/day)		
Motor Vehicle Emissions		
	Cruise season	Off season
ROG	143.00	141.00
NOx	214.00	211.00
PM10	89.00	87.00
Area Source Emissions		
	Cruise season	Off season
ROG	15.00	15.00
NOx	2.00	2.00
PM10	0.01	0.01
Ship Emissions		
	Cruise season	Off season
ROG	56.24	0.00
NOx	1152.50	0.00
PM10	87.32	0.00
TOTAL		
	Cruise season	Off season
ROG	214.24	156.00
NOx	1368.50	213.00
PM10	176.33	87.01

Assumption for motor vehicle emissions

1. ADT estimate of 11,737 trips for cruise season is for the worst case day when 2 ships are at the port.
2. ADT estimate of 8,914 trips for off season is for the worst case day when there is an event at the terminal.

Analysis Year 2004					Analysis Year 2020			
Annual Emissions (tons/year)					Annual Emissions (tons/year)			
Motor Vehicle Emissions					Motor Vehicle Emissions			
	Cruise season	Off season	Total			Cruise season	Off season	Total
ROG	8.71	10.70	19.42		ROG	10.21	10.70	20.91
NOx	12.55	15.30	27.84		NOx	14.84	15.30	30.14
PM10	5.24	6.39	11.64		PM10	6.20	6.39	12.59
Area Source Emissions					Area Source Emissions			
	Cruise season	Off season	Total			Cruise season	Off season	Total
ROG	1.15	1.59	2.74		ROG	1.15	1.59	2.74
NOx	0.15	0.21	0.37		NOx	0.15	0.21	0.37
PM10	0.00	0.00	0.00		PM10	0.00	0.00	0.00
Ship Emissions					Ship Emissions			
	Cruise season	Off season	Total			Cruise season	Off season	Total
ROG	1.08	0.00	1.08		ROG	2.42	0.00	2.42
NOx	25.96	0.00	25.96		NOx	57.60	0.00	57.60
PM10	2.02	0.00	2.02		PM10	4.48	0.00	4.48
TOTAL					TOTAL			
	Cruise season	Off season	Total			Cruise season	Off season	Total
ROG	10.94	12.29	23.24		ROG	13.77	12.29	26.07
NOx	38.66	15.51	54.17		NOx	72.60	15.51	88.11
PM10	7.26	6.40	13.66		PM10	10.68	6.40	17.07

Assumption for motor vehicle emissions

1. ADT estimate for cruise season is for the worst case day when 2 ships are at the port.
This happens for only 10 percent of the calls - so 3 days in 2004 and 7 days in 2020.
For the remainder of the 5 month long (153 day long) cruise period, motor vehicle emissions from only non-cruise terminal activity of the project is used.

2. Similarly the ADT estimate for off season is for the worst case day when there is an event at the terminal.
This happens about 10 times per year during the off season only.
For the remainder of the 7 month long (212 day long) off season, emissions from non-cruise terminal related project traffic is used.

3. Weekend traffic will be much lower than weekday traffic and so emissions from the 52 weekends have been estimated very conservatively by assuming that weekend traffic activity will be the same as weekday traffic activity for both cruise season and off season.

APPENDIX D

CALIFORNIA STATE ASSEMBLY BILL 1389

AMENDED IN SENATE SEPTEMBER 14, 2001

AMENDED IN SENATE SEPTEMBER 13, 2001

AMENDED IN SENATE SEPTEMBER 7, 2001

AMENDED IN SENATE JULY 12, 2001

AMENDED IN SENATE JUNE 20, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL No. 1389

Introduced by Assembly Member Shelley

February 23, 2001

An act relating to lands granted in trust to the City and County of San Francisco.

LEGISLATIVE COUNSEL'S DIGEST

AB 1389, as amended, Shelley. San Francisco waterfront: cruise ship terminal development.

Under existing law (the Burton Act), the state granted certain lands to the City and County of San Francisco in trust for purposes of commerce, navigation, and fisheries, and subject to specified terms and conditions relating to the operation of the Port of San Francisco. Existing law (the McAteer-Petris Act) establishes the San Francisco Bay Conservation and Development Commission and requires the commission to regulate fill and development within a specified area in San Francisco Bay.

This bill would declare specified areas along the San Francisco waterfront to be free from the public trust for commerce, navigation,

and fisheries, as provided, and would authorize the San Francisco Port Commission to approve a cruise ship terminal development, other maritime facilities, and commercial and office space on a specified area of the San Francisco waterfront. The bill would authorize the State Lands Commission to convey to the City and County of San Francisco all of the rights, title, and interest held by the state in trust to specified lands along the waterfront, but would prescribe terms and conditions for the use of those lands in connection with the cruise ship terminal development, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. For purposes of this chapter, the following terms have the following meanings:

(a) "BCDC" means the San Francisco Bay Conservation and Development Commission established pursuant to Section 66620 of the Government Code.

(b) "Bay jurisdiction" means the jurisdiction, powers, and duties of BCDC pursuant to Title 7.2 (commencing with Section 66600) of the Government Code within the area defined in subdivision (a) of Section 66610 of the Government Code.

(c) "Bay Plan" means the San Francisco Bay Plan as adopted and administered by BCDC pursuant to Title 7.2 (commencing with Section 66600) of the Government Code, including all amendments thereto.

(d) "Boundary of the Port of San Francisco" means that line defining the boundary of "Parcel A" in the description of the lands transferred in trust to the City and County of San Francisco pursuant to Chapter 1333 of the Statutes of 1968, recorded on May 14, 1976, in Book C169, pages 573 to 664, inclusive, in the City and County of San Francisco Recorder's Office.

(e) "Brannan Street Wharf" means a major San Francisco waterfront park in the area of Piers 34 and 36, as identified in the Special Area Plan.

(f) "Burton Act" means Chapter 1333 of the Statutes of 1968, as amended.

(g) "Burton Act trust" means the statutory trust imposed by the Burton Act (Chapter 1333 of the Statutes of 1968, as amended),

pursuant to which the state conveyed to the City and County of San Francisco, in trust, by transfer agreement, and subject to certain terms, conditions, and reservations, the state's interest in certain tide and submerged lands.

(h) "City" means the City and County of San Francisco.

(i) "McAteer–Petris Act" means Title 7.2 (commencing with Section 66000) of the Government Code.

(j) "Public trust" or "trust" means the public trust for commerce, or navigation and fisheries.

(k) "Port" means the City and County of San Francisco acting by and through the San Francisco Port Commission.

(*l*) "San Francisco Bay" means those areas defined in Section 66610 of the Government Code.

(m) "San Francisco waterfront" means those portions of the area transferred to the port pursuant to the Burton Act that also lie within the area defined in subdivisions (a) and (b) of Section 66610 of the Government Code.

(n) "Seawall Lot 330" means that parcel of property located in San Francisco identified on that certain map entitled SUR 790, and shown on Page 318 of the City and County of San Francisco 100 Scale Ownership Maps, which is on file with the city's Bureau of Street Use and Mapping.

(o) "Shoreline band jurisdiction" means the jurisdiction, powers, and duties of BCDC pursuant to Title 7.2 (commencing with Section 66600) of the Government Code to regulate uses within the area defined in subdivision (b) of Section 66610 of the Government Code to ensure, in part, maximum feasible public access, as prescribed in Section 66632.4 of the Government Code.

(p) "Special Area Plan" means the San Francisco Waterfront Special Area Plan, dated July 20, 2000, adopted by BCDC, as amended from time to time.

(q) "Street" means those lands located within the South Beach/China Basin Planning area of the San Francisco waterfront at Seawall Lot 330, and also lying within Parcel A of those lands transferred to the City and County of San Francisco pursuant to the Burton Act, as recorded May 14, 1969, in Book C 169 at Pages 573 to 664, inclusive, in the San Francisco Recorder's office, as more particularly described as that portion of Main Street, located between Bryant Street and the Embarcadero, vacated per Ordinance 14-93 on January 11, 1993, on file with the San

Francisco Bureau of Street Use and Mapping, in Book 10, Page 94. All streets and street lines described in the preceding sentence are in accordance with that certain map entitled SUR 790, and shown on Page 318 of the City and County of San Francisco 100 Scale Ownership Maps, on file with the City's Bureau of Street Use and Mapping.

(r) "Waterfront Land Use Plan" means the Waterfront Land Use Plan, including the Waterfront Design and Access Element, adopted by the port pursuant to Resolution No. 97–50, as amended from time to time.

SEC. 2. The Legislature finds and declares all of the following:

(a) In 1965, the Legislature adopted the McAteer–Petris Act to protect and enhance the San Francisco Bay and its natural resources. The McAteer–Petris Act grants BCDC regulatory authority over further filling in San Francisco Bay through exercise of its bay jurisdiction, and limits that activity to (1) water-oriented uses that meet specified criteria; (2) minor fill that improves shoreline appearance or public access; and (3) activities necessary for the health, safety and welfare of the public in the entire bay area. The McAteer-Petris Act also authorizes BCDC to require the provision of maximum feasible access to the bay consistent with the project over a 100-foot shoreline band through the exercise of its shoreline band jurisdiction.

(b) In 1969, pursuant to the Burton Act, the state conveyed by transfer agreement certain state tide and submerged lands to the Port. The lands are held by the Port in trust for purposes of commerce, navigation, and fisheries, and are subject to the terms and conditions specified in the Burton Act and the public trust. During the three decades since passage of the Burton Act, issues have arisen concerning the application of the McAteer–Petris Act to the piers along the San Francisco waterfront. To address those issues, BCDC and the Port undertook two intensive and careful planning processes, which lasted over nine years.

(c) The first process culminated in 1997 with the adoption by the Port of the Waterfront Land Use Plan and with the adoption by the Board of Supervisors of the City and County of San Francisco and the Planning Commission of the City and County of conforming amendments to the City's General Plan and Planning Code.

(d) In July 2000, after the second five-year cooperative process involving the Port, BCDC, the Save San Francisco Bay Association, and numerous interested community groups and individuals, was completed, the Port adopted further amendments to the Waterfront Land Use Plan. BCDC also adopted amendments to the Special Area Plan which is incorporated into, and made a part of, the San Francisco Bay Plan, to create consistent plans for the area of the San Francisco waterfront between Pier 35 and China Basin. At the present time, the Waterfront Land Use Plan addresses specific McAteer–Petris Act issues relating to public access and the preservation and enhancement of open water as a bay resource in this area. The plan also defines public access opportunities on each pier in this area and calls for the removal of certain additional piers to enhance water views and create additional bay surface area.

(e) A major objective of the joint effort described in subdivisions (b), (c), and (d) is to establish a new criterion in the San Francisco Bay Plan that would permit fill on the San Francisco waterfront in an area where a Special Area Plan has been adopted by BCDC for uses that are consistent with the public trust and the Burton Act trust. The Special Area Plan for the area between Pier 35 and China Basin should provide for all of following:

(1) The nature and extent of maximum feasible public access for the piers including perimeter access, a history walk on most piers, and other significant access features on piers where appropriate.

(2) Two major public plazas, the Brannan Street Wharf adjacent to Pier 30-32 and another in the vicinity of Pier 27.

(3) A public planning process to lead to the creation of a third major public plaza in the Fisherman's Wharf area.

(4) The removal of certain piers to uncover additional bay surface.

(5) The creation and funding of a special fund within the Port to finance the removal of the selected piers and the construction and maintenance of those public plazas.

(6) A historic preservation mechanism to ensure preservation of important historic resources on the piers.

(7) The ability of the Port to repair, improve, or use the piers not designated for removal between Pier 35 and China Basin for

any purpose consistent with the Burton Act, the public trust and the Special Area Plan.

(f) The San Francisco waterfront, which has been the subject of this planning process, provides benefits to the entire bay area, and serves as a unique destination for the region's public. These regionwide benefits include enjoyment of a unique, publicly owned waterfront that provides special maritime, navigational, recreational, cultural, and historical benefits that serve the bay area. Accordingly, the adoption by BCDC, and the ratification by the Legislature, of the Special Area Plan. as amended, is necessary to protect the health, safety, and welfare of the public in the entire bay area for purposes of subdivision (f) of Section 66632 of the Government Code.

SEC. 3. The Legislature also hereby finds and declares all of the following with respect to Seawall Lot 330 and the street:

(a) The lands comprising the street are tide and submerged lands that have been filled and reclaimed, and were reserved to the state solely for street purposes.

(b) The filled and reclaimed tide and submerged lands constituting the street have been filled and reclaimed for, and in connection with, a highly beneficial plan of improvement for harbor development.

(c) The street is not used, suitable, or necessary for navigation purposes and is not necessary, or used for street purposes.

(d) The street or any interests in the street that are to be sold by the city, and over which the Burton Act trust and the public trust will be terminated, constitute a relatively small portion of the granted tide and submerged lands.

(e) Section 3 of Article X of the California Constitution permits the sale to any city, county, city and county, municipal corporation, private person, partnership, or corporation of tidelands reserved to the state solely for street purposes, which tidelands the Legislature finds and declares are not used and not necessary for navigation purposes, subject to such conditions as the Legislature may impose to protect the public interest.

(f) The existence of the street limits the potential development of Seawall Lot 330. The proposed sale will be consistent with Section 3 of Article X of the California Constitution, if all of the following conditions are met:

(1) The consideration for the sale of the street, pursuant to Section 3 of Article X of the California Constitution, shall be the fair market value of those lands or interests in the lands.

(2) The street to be sold by the city and over which the public trust or the Burton Act trust, or both trusts, will be terminated has been filled and reclaimed, and the street consisting entirely of dry land lying above the present line of mean high tide is no longer needed or required for the purposes of the public trust or the Burton Act trust.

(3) The street to be sold by the city and over which the public trust or the Burton Act trust, or both trusts, will be terminated has been cut off from direct access to the waters of San Francisco Bay by past filling of intervening property for a major roadway (the Embarcadero), which has provided, and will continue to provide, lateral public access to the water.

(4) The street was reserved to the state for street purposes and is not used or necessary for navigation purposes. Therefore, in accordance with Section 3 of Article X of the California Constitution, that street can and should be conveyed into private ownership for uses consistent with, and in furtherance of, this act.

(5) The sale of the street shall occur only in conjunction with a simultaneous exchange of the state's sovereign title in Seawall Lot 330 pursuant to Chapter 310 of the Statutes of 1987, according to the terms and conditions required by the State Lands Commission, or other disposition of the state's sovereign title in Seawall Lot 330 approved by the State Lands Commission or the Legislature.

(g) It is therefore the intent of the Legislature, subject to the terms and conditions set forth in this act to authorize the city to dispose of the street for private use free from the public trust or the Burton Act trust.

SEC. 4. The Legislature further finds and declares that the following unique circumstances exist at Pier 30-32 on the San Francisco waterfront, and that therefore, this act sets no precedent for any other location or project in the state:

(a) The Pier 30-32 platform bayward of the Embarcadero consists of an obsolete, pile-supported pier structures that are physically no longer capable of serving most trust-related purposes without substantial modification and repair.

(b) San Francisco is the center of northern California's cruise activity. The need for a new cruise ship terminal has been recognized for over 40 years, most recently in a 1998 assessment by the Port that found that cruise industry experts considered the present terminal at Pier 35 on the San Francisco waterfront to be inferior to other cruise terminals in the United States. That assessment also concluded that the existing San Francisco passenger terminal at Pier 35 cannot accommodate modern cruise ships. Without a new passenger terminal, California stands to lose a significant portion of the cruise ship business it presently enjoys, which would also adversely affect the many maritime industries dependent on a healthy cruise industry.

(c) The Port's 1998 assessment evaluated alternative locations for a new cruise ship terminal and concluded that Pier 30-32 was the most viable site for a new cruise terminal in San Francisco because of dredging, site configuration, and development considerations.

(d) The Waterfront Land Use Plan and the Special Area Plan recognize that the development of Pier 30-32 and the surrounding area within the South Beach/China Basin subarea identified in the Waterfront Land Use Plan would further the public trust purposes of increasing maritime activities and expanding public use and enjoyment of the waterfront on trust lands at this location.

(e) The Port has solicited proposals and has chosen a developer for a mixed-use development at Pier 30-32, the primary purposes of which are to promote waterborne transportation at the port by constructing the James R. Herman International Cruise Terminal at Pier 30-32, and to further public use and enjoyment of the tidelands at this location by providing boat berths, public access, and substantial ground floor commercial public trust uses.

(f) In addition to being a destination for cruise ships, the planned improvements include berthing facilities for waterborne transit, such as water taxis and commercial excursion and recreational boats that will promote local waterborne transit and establish the proposed development at Pier 30-32 as a water-side destination for recreational boating.

(g) The Brannan Street Wharf will lie adjacent to Pier 30-32. Pursuant to the Special Area Plan implementation requirements, the approval and construction of the proposed development at Pier 30-32 requires that the construction of Phase I of the Brannan

Street Wharf be completed no later than five years after the issuance of a certificate of occupancy for the major reuse of Pier 30-32, and that the entire Brannan Street Wharf be completed no later than 15 years after issuance of a certificate of occupancy for the major reuse of Pier 30-32, if grant funds or other funding are available, or 20 years if not. The Brannan Street Wharf will provide an essential recreational element to serve the public trust as provided in the Special Area Plan. Accordingly, it is desirable that the construction of the Brannan Street Wharf be accelerated.

(h) The Port is committed to the construction of the Brannan Street Wharf earlier than required under the Special Area Plan through investment of approximately fifteen million dollars ($15,000,000) for the removal of 175,000 square feet of pile-supported fill and development of public access improvements, to be funded primarily by revenue from port operations, including the development of Pier 30-32.

(i) The proposed development of a cruise ship terminal at Pier 30-32 will require a substantial capital investment to improve the piles and decking. The Port must conserve port revenue to support those maritime uses and public improvements for which private investment is not economical. Therefore, the Port cannot directly fund all necessary capital improvements to construct new needed maritime facilities, including a new passenger terminal and associated improvements.

(j) Under applicable regulations, and due to the limited, seasonal (May through September) nature of the cruise ship operation, cruise ships will use the cruise terminal only approximately 65 to 100 days per year.

(k) The inclusion of public access structures, a lagoon, transient boat berthing, commercial public trust uses, together with a new passenger terminal, promotes the trust objectives of furthering maritime commerce and improving public access and use on the San Francisco waterfront.

(*l*) The inclusion of upper level general office space at Pier 30-32 is proposed because it provides a needed incentive for private investment. To the extent the office space is not occupied by trust tenants, it is not a trust use, notwithstanding its importance as a financial inducement.

SEC. 5. The Legislature, in the exercise of its retained power as trustee of the public trust, and in view of the unique

circumstances existing at Pier 30-32 on the San Francisco waterfront and the considerable statewide public benefit and promotion of maritime transportation that will be brought about by the construction of a new passenger cruise ship terminal, improvements to berthing facilities for waterborne transit, a lagoon, improved public access and commercial public trust uses on this site, hereby authorizes the Port to approve a cruise ship terminal development on the San Francisco waterfront at Pier 30-32, which would include general office use and general retail use, if all of the following conditions are met:

(a) The development includes a modern two-berth cruise ship terminal.

(b) The development includes a public access component that meets the requirements of the Special Area Plan and the San Francisco Bay Plan as interpreted by BCDC and that also offers expanded bay views and public access.

(c) Prior to submitting a major permit application to BCDC for the cruise ship terminal development, the Port, after review by or on behalf of BCDC, approves the final design concept for the Brannan Street Wharf.

(d) Prior to the issuance of a BCDC permit for the cruise ship terminal development, the Port demonstrates, to the satisfaction of BCDC and the Attorney General's office, that it has irrevocably encumbered all of the funds deemed necessary for the completion of the Brannan Street Wharf and has placed the funds in a segregated account guaranteed to be available to be drawn upon for the construction of the Brannan Street Wharf, and the Port and BCDC enter into an enforceable agreement that provides for the Port to fund, directly or through grant funding, or both, design, and construct the Brannan Street Wharf consistent with the following timetable:

(1) The Port shall complete preliminary engineering drawings for the Brannan Street Wharf and prepare and submit to BCDC a financing plan approved by the Port indicating funding sources and estimated construction costs at the time the construction of the cruise ship terminal development commences.

(2) The Port shall complete Phase 1, the northern portion of the Brannan Street Wharf (in the area of Pier 34), as described in the Special Area Plan contemporaneously with the construction of the cruise terminal development.

(3) The Port shall remove Pier 36 and complete the Brannan ~~Street Wharf contemporaneously with the cruise ship terminal~~ *Street Wharf no later than five years after commencement of construction of the cruise ship terminal* development.

(e) The amount of office space in the development does not exceed 300,000 leasable square feet, all of which shall be above the ground level. This office space shall also be designed to contribute to a development design that includes public spaces and promotes visual and public access. An additional 25,000 leasable square feet of space in the cruise ship terminal building may be used for general office use until the earlier of either of the following:

(1) Fourteen years from the first date of occupancy.

(2) When home berthing ships above 5,000 passenger berth capacity call for 15 days per year for two consecutive years.

(f) The development includes a marketing program designed to maximize the amount of general office space occupied by trust-related tenants over the life of the development.

(g) The cruise ship terminal as approved by BCDC complies with the requirements set forth in this subdivision. For purposes of this subdivision only, "trust retail" means visitor serving public trust retail and restaurant use. "Nontrust retail" means other retail, indoor public assembly, and theatre uses. The amount of trust retail leasable space shall be equal to or greater than the nontrust retail leasable space. The amount of trust and retail leasable space, nontrust retail leasable space, and visitor serving trust use converted from trust or nontrust retail approved by BCDC, as approved by BCDC, shall be at least 40 percent of the total amount of office leasable space.

SEC. 6. The Legislature finds and declares that the 2000 amendments of the San Francisco Bay Plan and the Special Area Plan by BCDC are authorized under subdivision (f) of Section 66632 of the Government Code as necessary to protect the health, safety, and welfare of the public in the entire Bay Area, and BCDC's actions with respect to those amendments are hereby ratified and confirmed.

SEC. 7. Notwithstanding the Special Area Plan and the Bay Plan requirement for findings of consistency with the public trust doctrine and the Burton Act, BCDC is authorized to approve the cruise ship terminal development trust as provided in this act.

Except as provided in Section 14 of this act, nothing in this act is intended to limit the discretion of BCDC to approve or deny permits for the projects described in this act in a manner consistent with the McAteer-Petris Act, the Bay Plan, the Special Area Plan, and this act, or to limit the discretion of BCDC to enforce permits issued for the projects described in this act.

SEC. 8. (a) For the purpose of effectuating the sale of the street, including the conveyance of the street by the city, free of the public trust and the Burton Act trust, the State Lands Commission may convey to the city by patent all of the rights, title, and interest held by the state by virtue of its sovereign trust title to the street, including any public trust interest or Burton Act reservation or trust interest, not heretofore conveyed, subject to any reservations the State Lands Commission determines appropriate.

(b) In any case where the state, pursuant to this act, conveys filled tidelands and submerged lands transferred to the city pursuant to the Burton Act, the state shall reserve all minerals and all mineral rights in the lands of every kind and character now known to exist or hereafter discovered, including, but not limited to, oil and gas and rights thereto, together with the sole, exclusive, and perpetual right to explore for, remove, and dispose of those minerals by any means or methods suitable to the state or to its successors and assignees, except that, notwithstanding the Burton Act, or Section 6401 of the Public Resources Code, any such reservation shall not include the right of the state or its successors or assignees in connection with any mineral exploration, removal, or disposal activity, to do either of the following:

(1) Enter upon, use, or damage the surface of the lands or interfere with the use of the surface by any grantee or by the grantee's successors or assignees.

(2) Conduct any mining activities of any nature whatsoever above a plane located 500 feet below the surface of the lands without the prior written permission of any grantee of the lands or the grantee's successors or assignees.

SEC. 9. The city may, pursuant to Section 3 of Article X of the California Constitution, sell the street to any private person, partnership, or corporation, with the approval of the State Lands Commission, if the city first finds that sale is consistent with the legislative findings and declarations set forth in Section 3. That sale shall not be effective unless and until the State Lands

Commission, at a regular open meeting with the proposed sale of the street as a properly scheduled agenda item, does or has done, all of the following:

(b) Finds, or has found, that the consideration for the sale of the street pursuant to Section 3 of Article X of the California Constitution shall be the fair market value of the street.

(a) Adopts, or has adopted, a resolution approving the sale that finds and declares that the street has been filled and reclaimed, is cut off from access to the waters of San Francisco Bay, and is no longer needed or required for the promotion of the public trust or the Burton Act trust, and that no substantial interference with the public trust or Burton Act trust uses and purposes will ensue by virtue of the sale. The resolution shall also declare that the sale is consistent with the findings and declarations in Section 3, and the sale is in the best interests of the state and city. Upon adoption of the resolution, or at a time that is specified in the resolution, the street shall thereupon be free from the public trust and the Burton Act trust.

(c) Finds, or has found, that the sale of the street shall occur only in conjunction with a simultaneous exchange of the state's sovereign title in Seawall Lot 330 pursuant to Chapter 310 of the Statutes of 1987, according to the terms and conditions required by the State Lands Commission, or other disposition of the state's sovereign title in Seawall Lot 330 approved by the State Lands Commission or the Legislature, and that the proceeds for that sale will be devoted to trust-related capital improvements by the Port.

SEC. 10. Sales made by the city pursuant to this act are hereby determined to be of statewide significance and importance and, therefore, any ordinance, charter provision, or other provision of local law inconsistent with this act is not applicable to those sales.

SEC. 11. Any agreement for the sale of, and trust termination over, the street pursuant to this act shall be conclusively presumed to be valid, unless held to be invalid in an appropriate proceeding in a court of competent jurisdiction to determine the validity of the agreement. Any such proceeding shall be commenced within 60 days after the recording of the agreement.

SEC. 12. The State Lands Commission and the city may modify any description and plat prepared and recorded pursuant to the Burton Act, as amended, and Section 11 of that certain agreement relating to the transfer of the Port of San Francisco from

the state to the city and dated January 24, 1969, and to record the modified description and plat in the office of the recorder of the city.

SEC. 13. An action may be brought under Chapter 4 (commencing with Section 760.010) of Title 10 of Part 2 of the Code of Civil Procedure by the parties to any agreement regarding a street sale or exchange of land entered into pursuant to this act or pursuant to Chapter 310 of the Statutes of 1987 to confirm the validity of the agreement. Notwithstanding Section 764.080 of the Code of Civil Procedure, the statement of decision in the action shall include a recitation of the underlying facts and a determination whether the agreement meets the requirements of this act, Chapter 310 of the Statutes of 1987, Sections 3 and 4 of Article X of the California Constitution, and any other law applicable to the validity of the agreement.

SEC. 14. The authorization contained in Section 5, and any lease, permit, development approval, or other entitlement for use, including any BCDC permit, for the cruise ship terminal development that is dependent upon that authorization is not affected by the failure of the Port to perform any obligation under the BCDC agreement referred to in subdivision (d) of Section 5, and that authorization and the lease, permit, development approval, or other entitlement for use shall remain in full force and effect. BCDC may enforce the agreement referred to in subdivision (d) of Section 5 by specific performance or by any other enforcement remedy in the McAteer–Petris Act, except for revocation of any BCDC permit issued for the cruise terminal development.

O

APPENDIX E

SUPPLEMENTAL DREDGING INFORMATION

PLANNIN DEPARTMENT
City and County of San Francisco 1660 Mission Street San Francisco, CA 94103-2414
(415) 558-6378 PLANNING COMMISSION FAX: 558-6409 ADMINISTRATION FAX: 558-6426 CURRENT PLANNING/ZONING FAX: 558-6409 LONG RANGE PLANNING FAX: 558-6426

CERTIFICATE OF DETERMINATION OF EXEMPTION/EXCLUSION FROM ENVIRONMENTAL REVIEW

Project Title : Port of San Francisco 5-year maintenance dredging program
Location: San Francisco Bay, various locations
City and County : San Francisco

Description of Nature and Purpose of Project:
The Port of San Francisco is applying to the U.S. Army Corps of Engineers and other Dredge Material Management Office (DMMO) agencies for a 60-month maintenance dredging permit. Maintenance dredging would occur at various locations (piers and pier approaches) along the San Francisco waterfront to maintain channel and berth depths to accommodate maritime activities at the Port, including cargo shipping, commercial boating and fishing, recreational boating, cruise ships, and passenger ferry services. A maximum dredge amount of 422,400 cubic yards of material is requested. Dredged material would be tested and, if meeting in-Bay disposal standards, would be disposed of at the Alcatraz Disposal Site. If any dredged material fails to meet in-Bay disposal standards, the Port would either seek an alternative upland disposal site or exclude that material from dredging.

Name of Person, Board, Commission or Department Proposing to Carry Out Project:
Port of San Francisco, requiring permits/approvals from U.S. Army Corps of Engineers, Bay Conservation and Development Commission, Regional Water Quality Control Board, and State Lands Commission.

EXEMPT STATUS: (Check One)
X Categorical Exemption (State Guidelines, Section 15300-15329; Public Resources Code, Section 21085). State Class Number: 4(g)

REMARKS:
Maintenance dredging proposed would be in areas and at depths previously subject to ongoing maintenance dredging, with the exception of the proposed Downtown Ferry Terminal near the Ferry Building. The Ferry Terminal is undergoing environmental review, which will include consideration of potential impacts from associated dredging. The 60-month maintenance dredging program includes maintenance dredging that would be anticipated at the Ferry Terminal if the project is approved and initial new dredging is completed. Class 4(g) exempts from CEQA "maintenance dredging where the spoil is deposited in a spoil area authorized by al applicable state and federal regulatory agencies."

Contact Person: Paul Deutsch 558-6383

Date of Determination: 2/7/97

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

HILLARY E. GITELMAN,
Environmental Review Officer

cc: Robert Passmore
✓Roberta Jones, Port of S.F.
Bulletin Board
M.D.F.
Exemption/Exclusion File

BWS:OER:3 2/96

STATE OF CALIFORNIA GRAY DAVIS, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686
http://ceres.ca.gov/bcdc/

bcdc
Celebrating 35 Years

September 21, 2001

Mr. John Doll
Development Project Coordinator
Port of San Francisco
Pier 1
San Francisco, California 94111

SUBJECT: BCDC Permit No. 2-97

Dear John:

Thank you for your August 13, 2001 letter, following up on Roberta Schoenholz's March 7, 2000 letter regarding the need to dredge the north side of Pier 30-32 for the proposed cruise terminal. We have reviewed the information provided in your letter and earlier submittals with our own files and have determined that dredging the north side of Pier 30-32 to a depth of –35 feet Mean Lower Low Water would be considered as maintenance dredging.

Sincerely,

STEVEN A. McADAM
Deputy Director

SAM/mm

STATE OF CALIFORNIA GRAY DAVIS, *Governor*

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686

Permittees' Copy

PERMIT NO. 2-97
(Issued on July 7, 1997, As
Amended Through December 14, 1999)
AMENDMENT NO. FIVE

Port of San Francisco
Ferry Building
San Francisco, California 94111

ATTENTION: Bridgette DeShields

Ladies and Gentlemen:

On June 19, 1997, the San Francisco Bay Conservation and Development Commission, a vote of 17 affirmative, 0 negative, and 0 abstentions, approved the resolution pursuant to which the permit had been issued. Moreover on May 14, 1998, November 3, 1998, February 8, 1999, ~~and~~ August 27, 1999, and December 14, 1999, pursuant to Regulation Section 10822, the Executive Director approved Amendment Nos. One, Two, Three~~, and~~ Four, and Five, respectively, to which this amended is hereby issued:

I. Authorization

A. Subject to the conditions stated below, the permittee, the Port of San Francisco, is granted permission to do the following:

In the Bay:

a. At the Port of San Francisco's, Piers 27, 29, 30, 31, 33, 35 East, 35 West, 39, 45 East, 48 A, 48 B, 50 A, 50 C, 50 D, 80 A, 80 B, 80 C, 80 D, 90, 92, 94, 96; Downtown Ferry Terminal: Islais Creek Channel and Outer Channel; Central Basin, Fisherman's Wharf East and Approach; and vessel approaches for Piers 48A, 48-50, Islais Creek, 80 C, and 80 D conduct regular maintenance dredging of up to ~~721,400~~ 1,352,200 cubic yards of material over a five-year period in order to maintain the authorized depths ranging from -20 to -40 feet mean lower low water (MLLW), differing by Port facility; and

b. Dispose of the dredged material at the Alcatraz Dredged Material Disposal Site (SF-11); in the ocean, at the federally authorized San Francisco Bay Deep Ocean Dredged Material Disposal Site (SF-DODS); and/or at upland locations, located outside of the Commission's jurisdiction (see Exhibits A and L).

Executed at San Francisco, California, on behalf of the San Francisco Bay Conservation and Development Commission on the date first above written.

WILL TRAVIS
Executive Director
San Francisco Bay Conservation and
Development Commission

WT/PB/ra
cc: U. S. Army Corps of Engineers, Attn.: Regulatory Functions Branch
San Francisco Bay Regional Water Quality Control Board,
Attn.: Certification Section
Environmental Protection Agency, Attn.: Mike Monroe-W-3-3
Department of Fish and Game, Attn: Robert Tasto
City and County of San Francisco, Attn: Planning Department

* *

Receipt acknowledged, contents understood and agreed to:

Executed at _____ _____
Applicant

On _____ By: _____

_____
Title

14 Feb 97

PORT OF SAN FRANCISCO 60 MONTH MAINTENANCE DREDGING PLAN

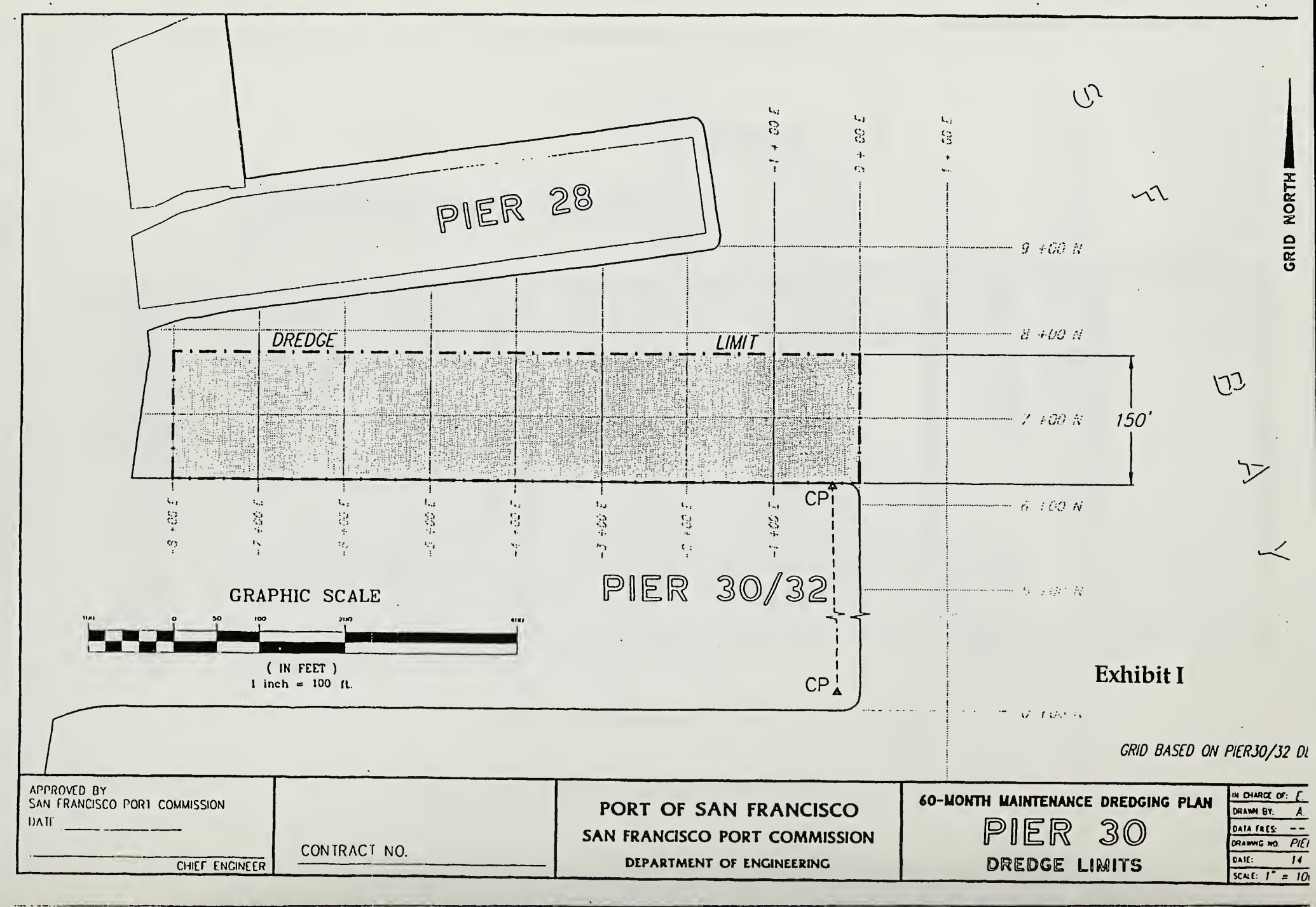
(FOR GENERAL PLANNING AND PERMITTING PURPOSES ONLY - NOT BUDGET OR CAPITAL PLANNING)

FACILITY NAME	EXHIBIT DWG. NO.	BERTH WIDTH	BERTH LENGTH	FACILITY CODE	DREDGE DEPTH (M.L.L.W.)	DREDGE VOLUMES 96/97 Cu. Yds.	EPI-SODE	97/98 Cu. Yds.	EPI-SODE	98/99 Cu. Yds.	EPI-SODE	99/00 Cu. Yds.	EPI-SODE	00/01 Cu. Yds.	EPI-SODE
Fishermans Wharf - West Approach	2			FWWAP	-20 ft.										
Pier 45 East	3	120 ft.	600 ft.	45E	-35 ft.										
Pier 35 West	4	120 ft.	800 ft.	35W	-30 ft.			30,000	3			30,000	7		
Pier 35 East	5	120 ft.	1000 ft.	35E	-35 ft.			30,000	4	30,000	6	30,000	8	30,000	10
Pier 29	6	120 ft.	700 ft.	29	-35 ft.										
Pier 27	7	120 ft.	1100 ft.	27	-35 ft.							15,000	7		
Downtown Ferry Terminal (4)	8	See Plan	See Plan	DTFT	-20 ft.	20,000	2			8,000	6			10,000	10
Pier 30	9	150 ft.	800 ft.	30	-35 ft.										
Pier 48A Approach	10			48AAP	-35 ft.										
Pier 48A	10	125 ft.	600 ft.	48A	-35 ft.										
Pier 48-50 Approach	10			48B/50AP	-35 ft.										
Pier 48B	10	125 ft.	600 ft.	48B	-35 ft.										
Pier 50A	10	127 ft.	650 ft.	50A	-35 ft.										
Pier 50C	10	127 ft.	860 ft.	50C	-35 ft.										
Central Basin	11			CB	-32 ft.										
Islais Creek Approach	12			ICAP	-40 ft.	18,000	2					18,000	8		
Islais Creek Channel Outer	12			ICCO	-40 ft.	18,000	2					18,000	8		
Pier 80B	12	125 ft.	1335 ft.	80B	-40 ft.	4,400	2					4,400	8		
Islais Creek Channel	12			ICC	-40 ft.	5,300	2					5,300	8		
Pier 92	12	100 ft.	900 ft.	92	-35 ft.	12,000	2					12,000	8		
Pier 90	12	100 ft.	900 ft.	90	-40 ft.										
80C Approach	12			80CAP	-40 ft.	4,500	2					4,500	8		
Pier 80C	12	125 ft.	1300 ft.	80C	-40 ft.	13,500	2					13,500	8		
80D Approach	12			80DAP	-35 ft.										
Pier 80D	12	125 ft.	950 ft.	80D	-35 ft.										
Pier 94	12	125 ft.	716 ft.	94	-40 ft.	12,000	2					4,000	8		
Pier 96	12	125 ft.	1740 ft.	96N/96S	-38 ft.	18,000	2					4,000	8		
TOTAL PER YEAR						125,700		60,000		38,000		158,700		40,000	

NOTES:

1. Port's Fiscal Year is July 1st through June 30th. Episode 1 has been completed and is not shown on this Table.
2. All dredge materials are to be slurried or clamshell dredged, volumes are in-situ with 1 foot over dredge included.
3. ODD numbered episodes planned for July - November, EVEN numbered planned for March - June.
4. First episode not Maintenance Dredging

Exhibit A



APPROVED BY SAN FRANCISCO PORT COMMISSION DATE _____ _____ CHIEF ENGINEER	CONTRACT NO.	PORT OF SAN FRANCISCO SAN FRANCISCO PORT COMMISSION DEPARTMENT OF ENGINEERING	60-MONTH MAINTENANCE DREDGING PLAN PIER 30 DREDGE LIMITS	IN CHARGE OF: E. DRAWN BY: A. DATA FILES: -- DRAWING NO. PIEI DATE: 14 SCALE: 1" = 10

DEPARTMENT OF THE ARMY PERMIT

Permittee: Port of San Francisco

Permit No.: 22718S

Issuing Office: San Francisco District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The Port of San Francisco is authorized to dredge sediment from Pier 35 East and West; Pier 27; the Downtown Ferry Terminal; Islais Creek Approach, Outer Channel and Channel; Pier 80B; Pier 80C and Approach; and Piers 92, 94 and 96. A different amount of material will be dredged from different berths, as necessary, for a total of approximately 422,400 cubic yards (cys) of material over the life of the permit (five years). The depths will range from -20 feet mean lower low water (MLLW) at the Downtown Ferry Terminal to -40 feet MLLW in the Islais Creek area. All depths will have an additional 2-foot overdredge allowance. The material will be removed using a clamshell dredge and removed by barge to the Alcatraz Disposal Site (SF-11). Work shall be carried out in accordance with the attached drawings labeled "Port of San Francisco, San Francisco Port Commission, Department of Engineering", dated 30 April 1996, in 10 sheets.

Project Location: San Francisco Waterfront, San Francisco, San Francisco County, California

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on November 30, 2002. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. Prior to each dredge episode, the sediments-to-be-dredged will be sampled and tested for agency approval of aquatic disposal.

2. Dredging activities will occur outside of the sensitive Pacific herring spawning season, December 1 through March 1, or as determined by California Department of Fish and Game.

3. Overflow from barge loading is not allowed, with the exception of return water from self-propelled hopper dredge vessels, which shall be limited to 15 minutes per load.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

SPECIAL CONDITIONS TO PERMIT NUMBER 22718S

1. To provide notification to the maritime community of activities affecting navigation, the permittee shall provide in writing to the Commander (POW), 11th Coast Guard District, Bldg 50-6, Coast Guard Island, Alameda, California 94501-5100, (POC: LT JG Dawn Salisbury, Aids to Navigation Section, PH:510-437-2982, FAX: 510-437-5836), the following information at least two weeks before commencing work:

a. Name and telephone number of the project manager.

b. Size and placement of any floating construction equipment.

c. Radio telephone frequencies and call signs of any marine equipment.

d. Work start and completion dates.

2. The Coast Guard Captain of the Port (COTP) of San Francisco Bay may require modifications to marine construction equipment deployment or mooring systems to safeguard navigation while work is in progress. Upon receipt of the notification to start, the Coast Guard will send a copy of the permittee's letter to the COTP for review.

3. All vessels operated for disposal of dredged material are required to participate in the Coast Guard's Vessel Traffic Control Service (VTCS). Five minutes before each departure, the permittee shall notify the VTCS by radio, via Channel 13, of the following: The permit number; name of vessel; dump scow number or identification; time of departure from dredge site; time of arrival at disposal site; time of departure from disposal site; and time of return to dredge site.

4. When utilizing the Alcatraz Disposal Site (SF-11), the permittee shall dispose of all dredged material within a circular area of radius 1000 feet with center located at latitude 37°49'17"N; longitude 122°25'23"W. The specific location within the disposal area will be determined by the District Engineer upon receipt of the Dredging Operation Plan.

5. The permittee shall submit to Chief, Construction-Operations Division, ATTN: Regulatory Branch, U.S. Army Corps of Engineers, 333 Market Street, suite 812, San Francisco, California 94105-2197, the following reports for review and comment:

a. <u>Dredge Material Analysis</u>: Submit, for approval, no earlier than 60 days prior to proposed commencement of any authorized successive dredging episodes, dredge material analysis (Chemical and Physical), sampling and testing information. **Please include the Corps permit number and**

dredge episode number with this submittal. Also submit Regional Water Quality Control Board water quality certification or waiver for disposal of the material. For each dredging episode, the permittee shall obtain the approval of the District Engineer for formulating specific sediment testing procedures for the Dredge Material Analysis. The testing protocol will be in accordance with the testing protocol will be in accordance with the testing guidelines as published by the Corps in Public Notice 93-2 and subsequent amendments thereto.

b. Dredging Operation Plan: Submit, for approval by this office, no earlier than 60 calendar days and no later than 20 calendar days before the proposed commencement of dredging, a plan which includes the following: **Corps permit number, dredge episode number,** a copy of the dredging contract or description of the work under which the contractor will do the permitted work; name and telephone numbers of the dredging contractor's representative on site; dredging start and completion dates; names of vessel; dump scow numbers or identification; bin or barge capacities; identification of work as either maintenance dredging or new dredging; discussion of proposed dredging procedures, as governed under Special Condition No. 6, with detailed drawings or specifications of the grid or centrifugal pump system; quantity of material to be removed; dredging design depth and typical cross section including overdepth; and date of last dredging episode and design depth. The dredging Operational Plan shall also provide the following information:

1) The controls being established to insure that dredging operations occur within the limits defined by the channel dimensions and typical channel section. The horizontal and vertical positioning systems being utilized must be indicated as noted in No.3 below.

2) The controls being established to insure that disposal of the dredged material at the disposal site is at the assigned location and depth. The horizontal and vertical positioning systems being utilized must be indicated as noted in No.3 below.

3) Method of determining electronic positioning of dredge or dump scow during entire dredging operation at dredge site, disposal site and en route to and from disposal site.

Please note that failure to provide all of the above information may result in delays to your project. When your dredge operation plan has been approved, you will receive a written authorization to commence with your project.

c. Before Dredging Survey: Submit no earlier than 60 calendar days and no later than 20 calendar days before commencement of dredging, a survey with accuracy to one-tenth foot which delineates the following: areas to be dredged with overdepth allowances; existing depths; estimated quantities to be dredged for the project; and estimated quantities for overdepth. **All surveys shall be signed by the permittee to certify their accuracy. Please include the Corps permit number and dredge episode number.**

Please note that failure to provide all the above information may result in delays to your project.

d. Solid Debris Management Plan: Submit no earlier than 60 calendar days and no later than 20 calendar days before commencement of work, a plan which describes measures to ensure that solid debris generated during any authorized demolition or construction operation is retained and properly disposed of in areas not under Corps jurisdiction. At a minimum, the plan shall include the following: source and expected type of debris; debris retrieval method; **Corps permit number and dredge episode number;** disposal method and site; schedule of disposal operations; and debris containment method to be used, if floatable debris is involved.

Please note that failure to provide all the above information may result in delays to your project.

e. Disposal Site Verification Log (DSVL): Submit on a weekly basis by noon Monday, the attached log (pages 1 & 2) which enumerates work accomplished during the preceding week to Corps of Engineers, Regulatory Branch at the above address or FAX # (415) 977-8483, Attn: Mr. David Dwinell. The VTCs will issue a confirmation number to be included in the weekly log. **Please include the Corps permit number and dredge episode number.**

f. Overflow requirements:

1. During transportation from the dredging site to the disposal site, no material shall be permitted to overflow, leak or spill from barge, bins or dump scows.

2. During dredging operations, overflow shall be limited to a maximum of 15 minutes for hydraulic dredging. Adjustments to the dredging operation may be required to insure that once overflow commences, it will not exceed the 15 minute limit.

3. In approved sand dredging, overflow will not exceed 15 minutes or the economic load, whichever occurs first.

g.. Post Dredging Survey: Submit, within 15 days of the last disposal activity (last is defined as that activity after which no further activity occurs for 15 calendar days), a survey with accuracy to one-tenth foot which delineates the areas dredged and the dredged depths. **Also, include the Corps permit number, dates of dredging commencement and completion, actual quantities dredged for the project, and actual quantities of overdepth.** The permittee shall substantiate the total quantity dredged by including calculations used to determine the volume difference (in cubic yards) between the Before and Post Dredging Surveys and explain any variation in quantities greater than 15% beyond estimated quantities. **All surveys shall be accomplished by a licensed surveyor and signed by the permittee to certify their accuracy.** A copy of the post dredge survey should be sent to the National Ocean Service for chart updating: NOAA/National Ocean Service, Map and Chart Branch, (Attention: N/CG2211), SSMC3, Room 6211, 1315 East-West Highway, Silver Spring, Maryland 20910.

6. The permittee shall ensure that all dredged material is slurried prior to disposal to prevent any accumulation or build up of material at the disposal site. All dredged material shall be slurried in one of the following manners:

a. Dredged material will be either pumped with a centrifugal pump prior to leaving the dredge site for the disposal site; or,

b. If the material is clamshell dredged, passed through a debris grid, with a maximum opening size of 12 inches by 12 inches which will cover the entire loading area of the dump scow. Everything that does not pass through the grid will be considered solid debris and shall be disposed of in areas outside of Corps jurisdiction. All such material shall be promptly removed from the grid at the end of each 8 hour shift or sooner.

7. **The permittee or dredge contractor shall inform this office when a dredge episode actually commences, is suspended (suspension is when the dredge contractor leaves the site for more than 48 hours for reasons other than equipment maintenance), is restarted and the actual date of completion. Each notification should include the Corps permit number and dredge episode number.** The information can be sent, to the attention of Mr. Rob Lawrence, in writing to the Corps of Engineers, Regulatory Branch, at the above address; FAXed to (415) 977-8343; or via telephone message at (415) 977-8447.

8. The permittee, as directed by the District Engineer under authority pursuant to the policies and procedures of 33 CFR 325.7, may be required to modify disposal schedules and/or monthly disposal quantities for particular dredging episodes.

9. The permittee shall allow the dredging area and equipment to

be inspected by the Corps staff upon request.

10. For each dredging episode, the permittee shall be responsible for obtaining a letter of water quality certification or waiver from the Regional Water Control Quality Board (RWQCB) and authorization from the Bay Conservation and Development Commission (BCDC). Water quality certification and BCDC authorization will be a prerequisite to the District Engineer's decision to approve or disapprove specific dredging episodes pursuant to the policies and procedures of 33 CFR 325.2(b)(1)(ii) and 325.2(b)(2)(ii).

11. For each dredging episode, the permittee shall provide a copy of the Dredge Material Analysis to the Environmental Protection Agency, Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Game (DF&G) concurrent with the RWQCB and Corps' receipt of this information. Agency comments submitted to the Corps within 15 calendar days thereafter will be given full consideration in the decision on dredged material disposal.

12. If a land, ocean, or other aquatic disposal site becomes available for use during the five year permit period, the permittee shall evaluate these disposal alternatives, taking into consideration cost, existing technology, and logistics in light of the overall project purpose to facilitate compliance with the 404(b)(1) Guidelines. This evaluation shall be submitted to the Corps at least 60 calendar days before commencement of subsequent dredging episodes. The District Engineer, upon review of this information and after consultation with other resource agencies, may direct the permittee to use such sites in lieu of or in addition to the Alcatraz Disposal Site under authority of 33 CFR 325.7 and 40 CFR 230.10(a).

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Alexander Lee — 10/28/97

(PERMITTEE) (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

F. A. Bleigh III For — 7 Nov 97

(DISTRICT ENGINEER) (DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE) (DATE)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco

On October 28, 1997 (Date) before me, Virna C. Wu, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Alexander Ka Ho Lee (Name(s) of Signer(s))

☒ ~~personally known to me OR~~ – ☒ proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

VIRNA C. WU
Comm. # 1042224
NOTARY PUBLIC - CALIFORNIA
City and County of San Francisco
My Comm. Expires Oct. 9, 1998

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Department of the Army Permit: Permit No. 22718S

Document Date: None Number of Pages: 8 + (Exhibits 10

Signer(~~s~~) Other Than Named Above: None

Capacity(~~ies~~) Claimed by Signer(~~s~~)

Signer's Name: Alexander Ka Ho Lee

☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☒ Other: Director, Facilities & Operations

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing:
Port of San Francisco

Signer's Name: _____

☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing:

© 1994 National Notary Association • 8236 Remmet Ave., P.O. Box 7184 • Canoga Park, CA 91309-7184 Prod. No. 5907 Reorder: Call Toll-Free 1-800-876-6827

PORT OF SAN FRANCISCO 60 MONTH MAINTENANCE DREDGING PLAN

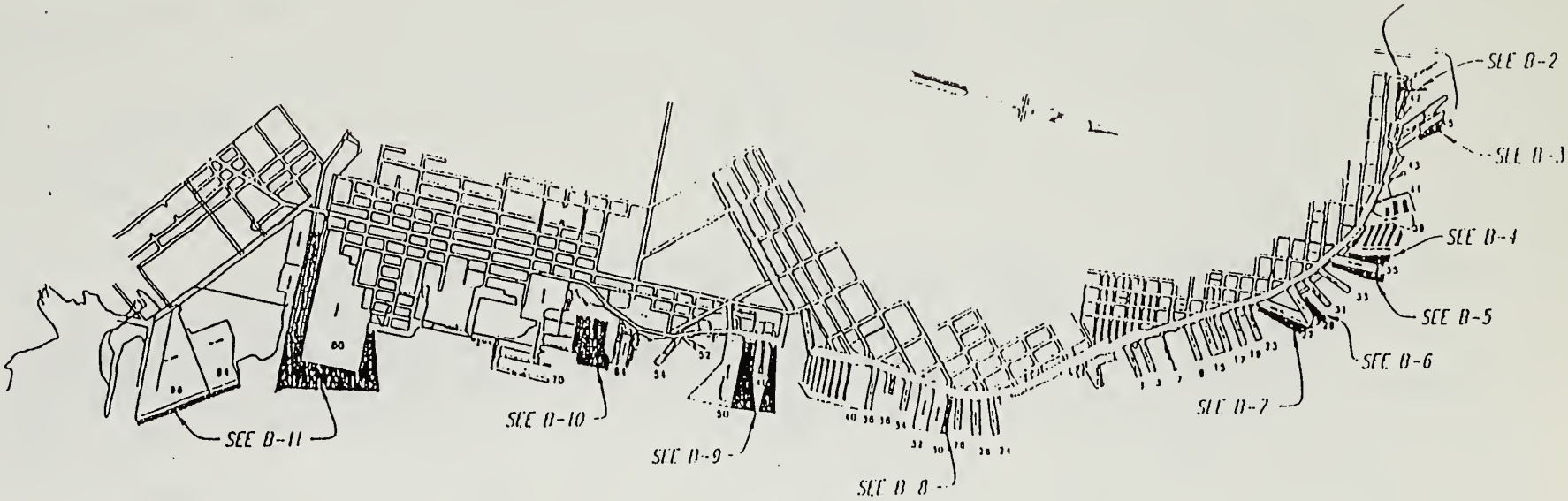
(FOR GENERAL PLANNING AND PERMITTING PURPOSES ONLY - NOT BUDGET OR CAPITAL PLANNING)

FACILITY NAME	EXHIBIT DWG. NO.	BERTH WIDTH	BERTH LENGTH	FACILITY CODE	DREDGE DEPTH (M.L.L.W.)	DREDGE VOLUMES 96/97 Cu. Yds.	EPI-SODE	97/98 Cu. Yds.	EPI-SODE	98/99 Cu. Yds.	EPI-SODE	99/00 Cu. Yds.	EPI-SODE	00/01 Cu. Yds.	EPI-SODE
Fishermans Wharf - West Approach	2			FWWAP	-20 ft.										
Pier 45 East	3	120 ft.	600 ft.	45E	-35 ft.										
Pier 35 West	4	120 ft.	800 ft.	35W	-30 ft.			30,000	3			30,000	7		
Pier 35 East	5	120 ft.	1000 ft.	35E	-35 ft.			30,000	4	30,000	8	30,000	8	30,000	10
Pier 29	6	120 ft.	700 ft.	29	-35 ft.										
Pier 27	7	120 ft.	1100 ft.	27	-35 ft.							15,000	7		
Downtown Ferry Terminal (4)	8	See Plan	See Plan	DTFT	-20 ft.	20,000	2			8,000	8			10,000	10
Pier 30	9	150 ft.	800 ft.	30	-35 ft.										
Pier 48A Approach	10			48AAP	-35 ft.										
Pier 48A	10	125 ft.	600 ft.	48A	-35 ft.										
Pier 48-50 Approach	10			48B/50AP	-35 ft.										
Pier 48B	10	125 ft.	600 ft.	48B	-35 ft.										
Pier 50A	10	127 ft.	650 ft.	50A	-35 ft.										
Pier 50C	10	127 ft.	860 ft.	50C	-35 ft.										
Central Basin	11			CB	-32 ft.										
Islais Creek Approach	12			ICAP	-40 ft.	18,000	2					18,000	8		
Islais Creek Channel Outer	12			ICCO	-40 ft.	18,000	2					18,000	8		
Pier 80B	12	125 ft.	1335 ft.	80B	-40 ft.	4,400	2					4,400	8		
Islais Creek Channel	12			ICC	-40 ft.	5,300	2					5,300	8		
Pier 92	12	100 ft.	900 ft.	92	-35 ft.	12,000	2					12,000	8		
Pier 90	12	100 ft.	900 ft.	90	-40 ft.										
80C Approach	12			80CAP	-40 ft.	4,500	2					4,500	8		
Pier 80C	12	125 ft.	1300 ft.	80C	-40 ft.	13,500	2					13,500	8		
80D Approach	12			80DAP	-35 ft.										
Pier 80D	12	125 ft.	950 ft.	80D	-35 ft.										
Pier 94	12	125 ft.	716 ft.	94	-40 ft.	12,000	2					4,000	8		
Pier 96	12	125 ft.	1740 ft.	96N/96S	-38 ft.	18,000	2					4,000	8		
TOTAL PER YEAR						126,700		60,000		38,000		169,700		40,000	

NOTES:

1. Port's Fiscal Year is July 1st through June 30th. Episode 1 has been completed and is not shown on this Table.
2. All dredge materials are to be slurried or clamshell dredged, volumes are in-situ with 1 foot over dredge included.
3. ODD numbered episodes planned for July - November, EVEN numbered planned for March - June.
4. First episode not Maintenance Dredging

Exhibit A



GRAPHIC SCALE

-2500 0 1250 2500 5000 10000

(IN FEET)
1 inch = 2500ft.

SHADED AREAS DENOTE PROPOSED DREDGE SITES

ROVED BY
FRANCISCO PORT COMMISSION

E _____

CHIEF ENGINEER

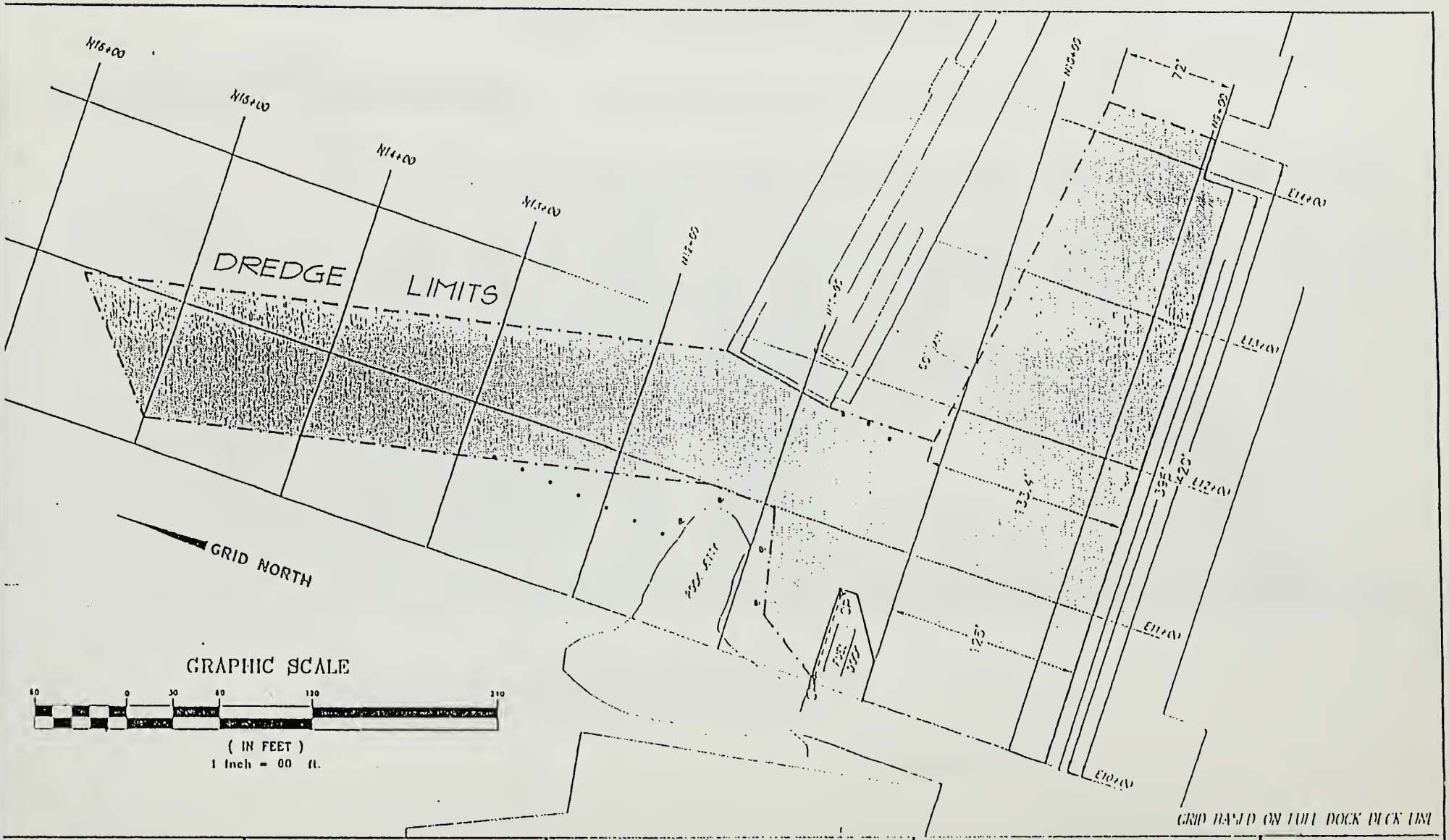
SPECIFICATION NO. 2230

CONTRACT NO. 2620

PORT OF SAN FRANCISCO
SAN FRANCISCO PORT COMMISSION
DEPARTMENT OF ENGINEERING

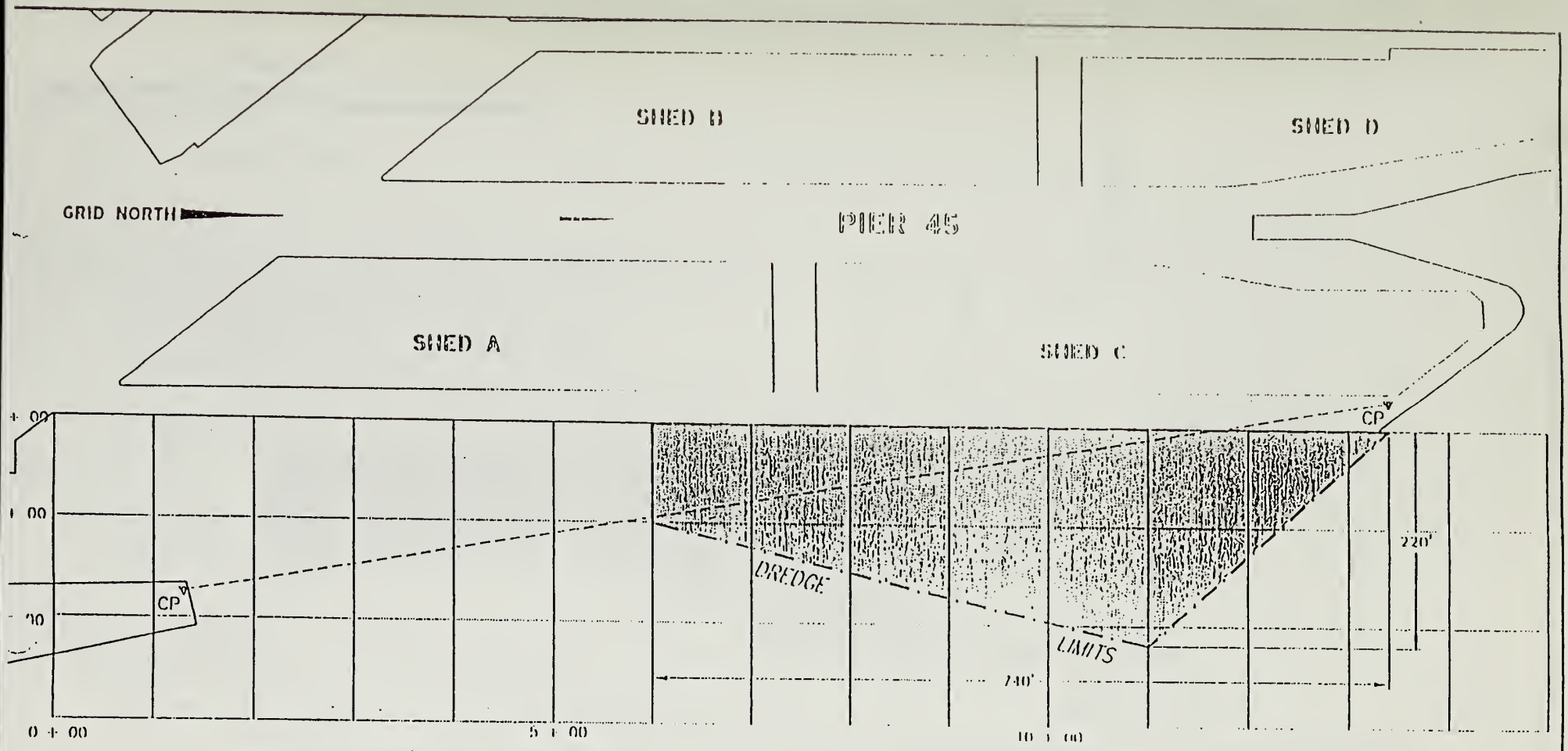
EXHIBIT B-1
KEY MAP
DREDGE LIMITS

W. CHANGE BY: L. DYRNE
DRAWN BY: A. NEVLING
DATA FILES: --
DRAWING NO: EXCMAP95.DWG
DATE: 30 APR 96
SCALE: 1" = 2500' NO 1 OF 11



ROVED BY FRANCISCO PORT COMMISSION CHIEF ENGINEER	SPECIFICATION NO. 2230 CONTRACT NO. 2620	PORT OF SAN FRANCISCO SAN FRANCISCO PORT COMMISSION DEPARTMENT OF ENGINEERING	EXHIBIT B-2 FW WAP DREDGE LIMITS

DRAWN BY:	A. NEVLING
DATA FILES:	--
DRAWING NO:	MD-DLT.DWG
DATE:	30 APR 96
SCALE: 1" = 60'	SHT 2 OF 11



GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

GRID BASED ON PIER 45 DECK LINE

ROVED BY
FRANCISCO PORT COMMISSION
E _____
CHIEF ENGINEER

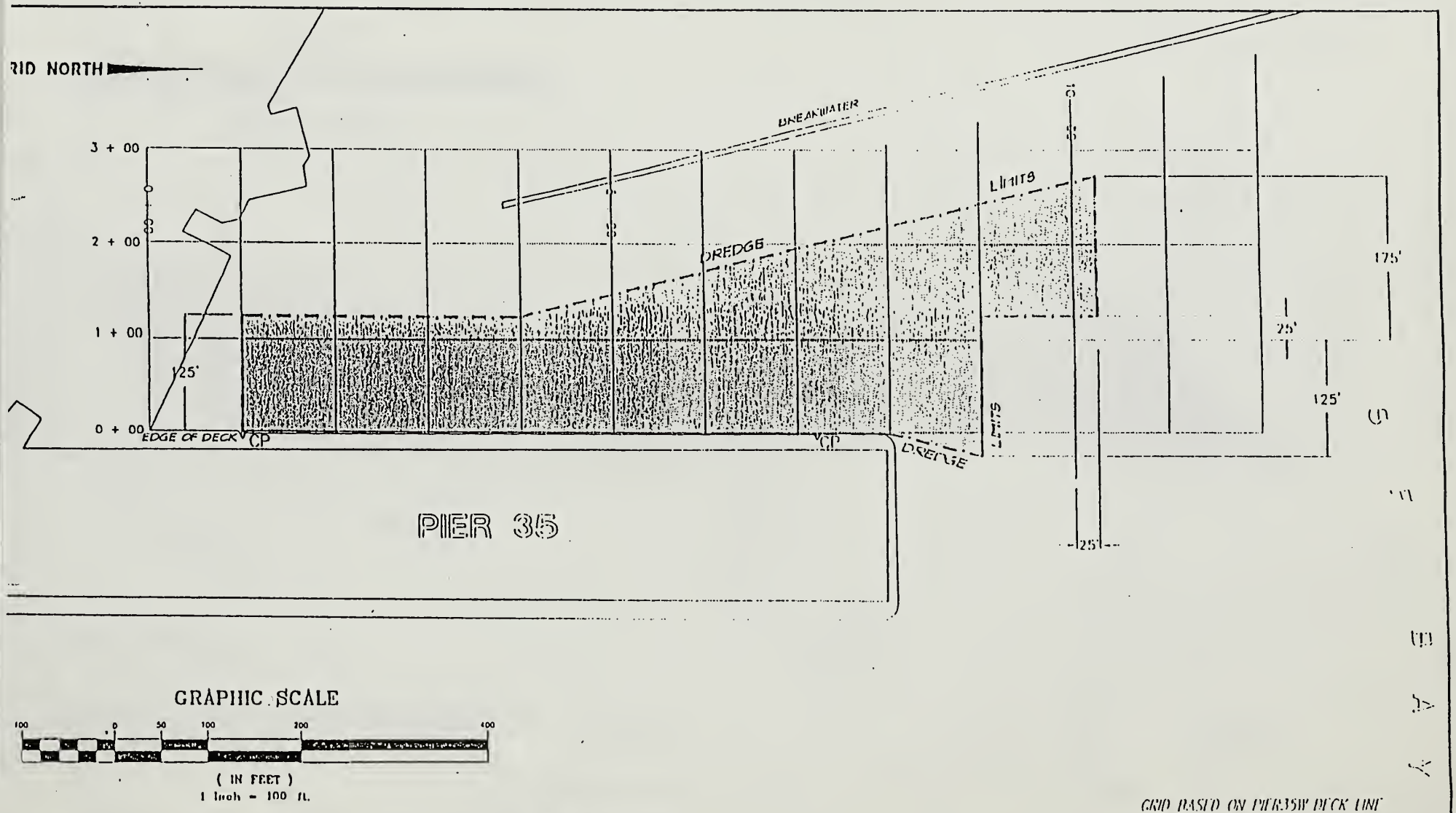
SPECIFICATION NO. 2230

CONTRACT NO. 2620

PORT OF SAN FRANCISCO
SAN FRANCISCO PORT COMMISSION
DEPARTMENT OF ENGINEERING

EXHIBIT B-3
PIER 45E
DREDGE LIMITS

DRAWING BY: L. DIRAE
EXAMINED BY: AUN
DATA FILE: --
DRAWING NO 45DLSE
DATE: 30 APR 95
SCALE: 1" = 100' SHT 3 OF 11



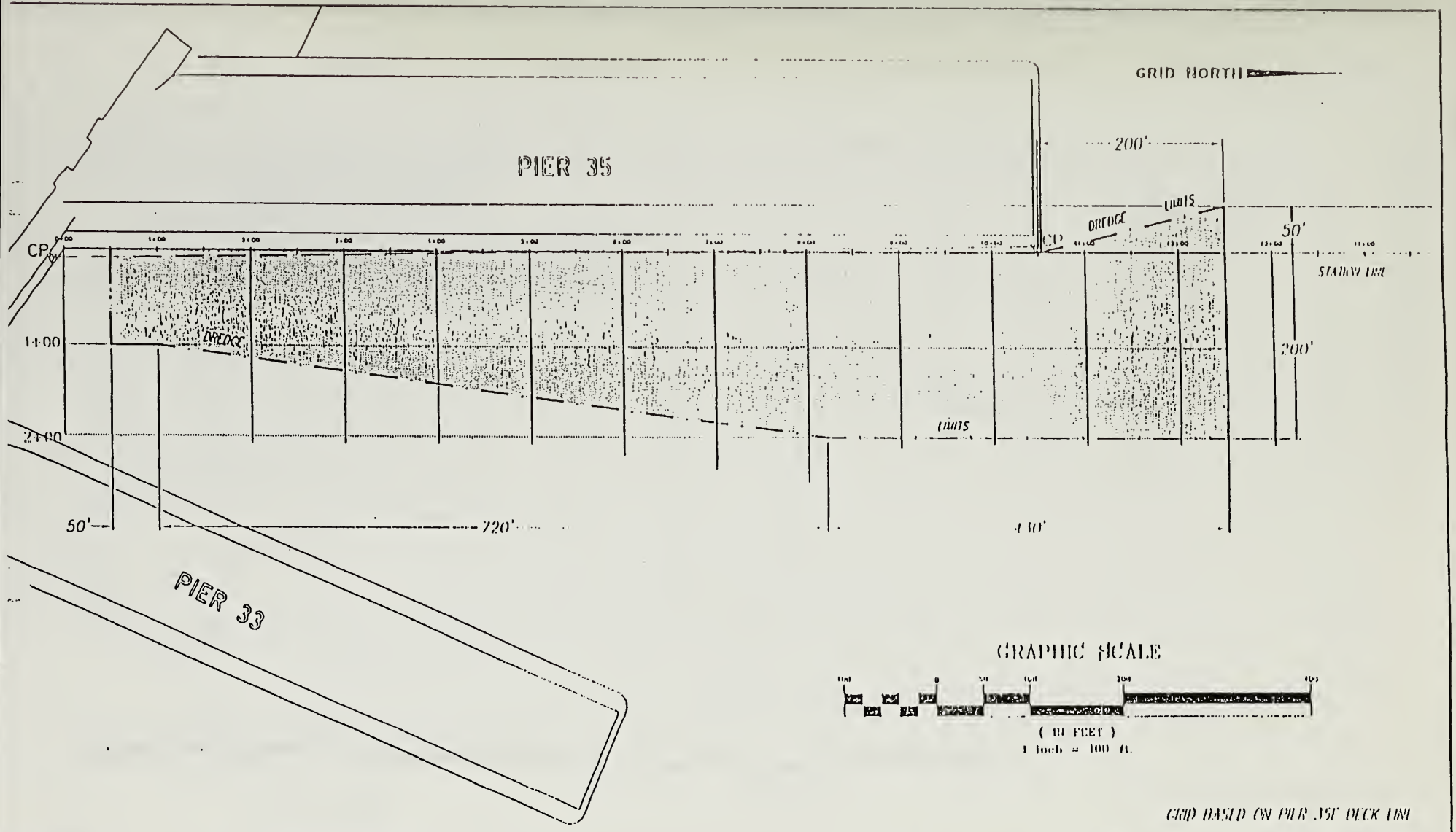
GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 Inch = 100 ft.

GRID BASED ON PIER35W DECK LINE

ROVED BY FRANCISCO PORT COMMISSION CHIEF ENGINEER	SPECIFICATION NO. 2230 CONTRACT NO. 2620	PORT OF SAN FRANCISCO SAN FRANCISCO PORT COMMISSION DEPARTMENT OF ENGINEERING	EXHIBIT D-4 PIER 35W DREDGE LIMITS	IN CHARGE OF: E. BURKE DRAWN BY: AMH DATA FILE: -- DRAWING NO: 35DASE DATE: 30 APR 96 SCALE: 1" = 100' NO 4 OF 11



GRID BASED ON PIER 35E DECK LINE

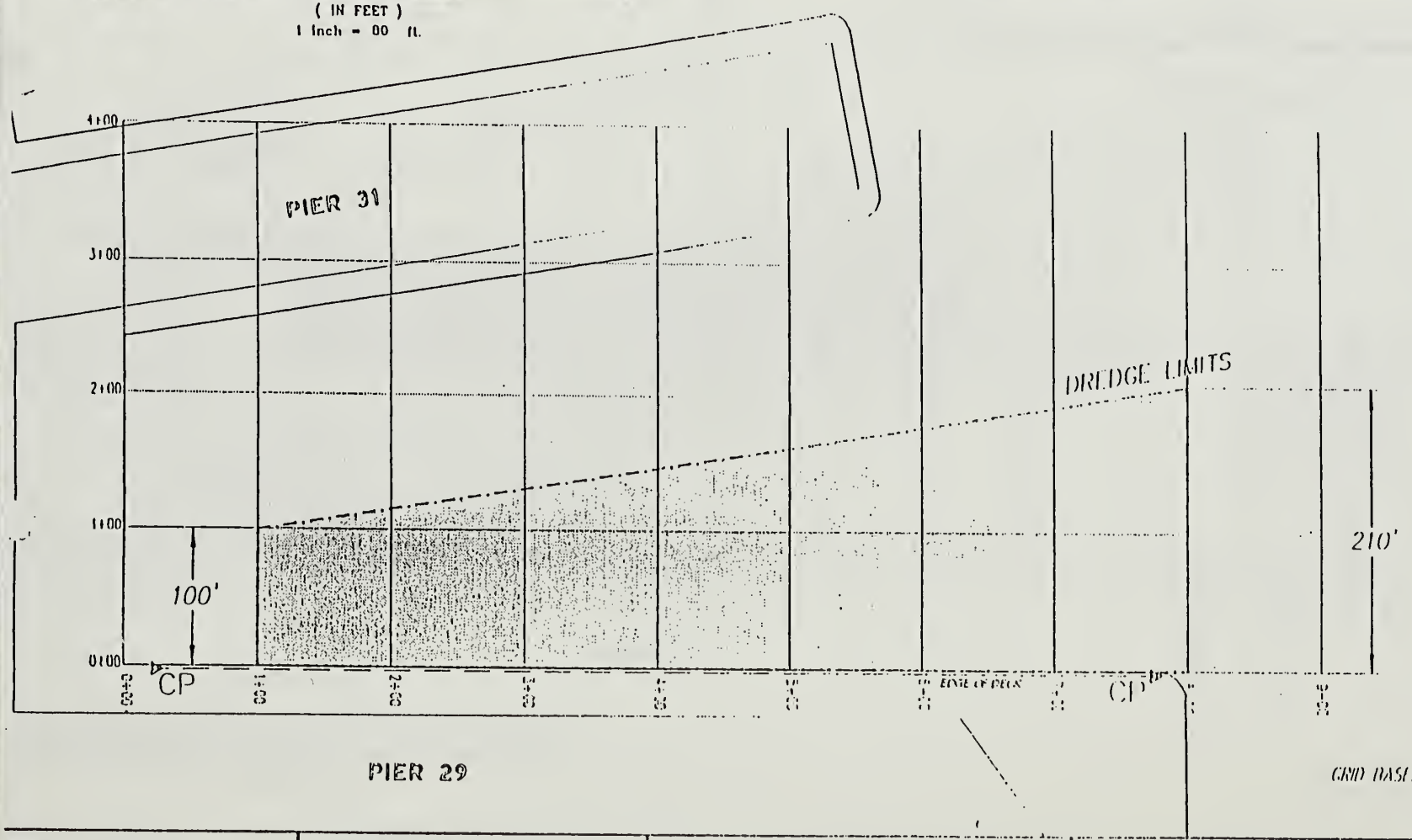
OVED BY FRANCISCO PORT COMMISSION CHIEF ENGINEER	SPECIFICATION NO. 2230 CONTRACT NO. 2620	PORT OF SAN FRANCISCO SAN FRANCISCO PORT COMMISSION DEPARTMENT OF ENGINEERING	EXHIBIT D-5 PIER 35E DREDGE LIMITS	DRAWN BY: L. DAVIS CHECKED BY: AMH DATA FILES: -- DRAWING NO: 35EBASE DATE: 30 APR 96 SCALE: 1" = 100' SHEET 5 OF 11

GRAPHIC SCALE

60 0 40 80 160 320

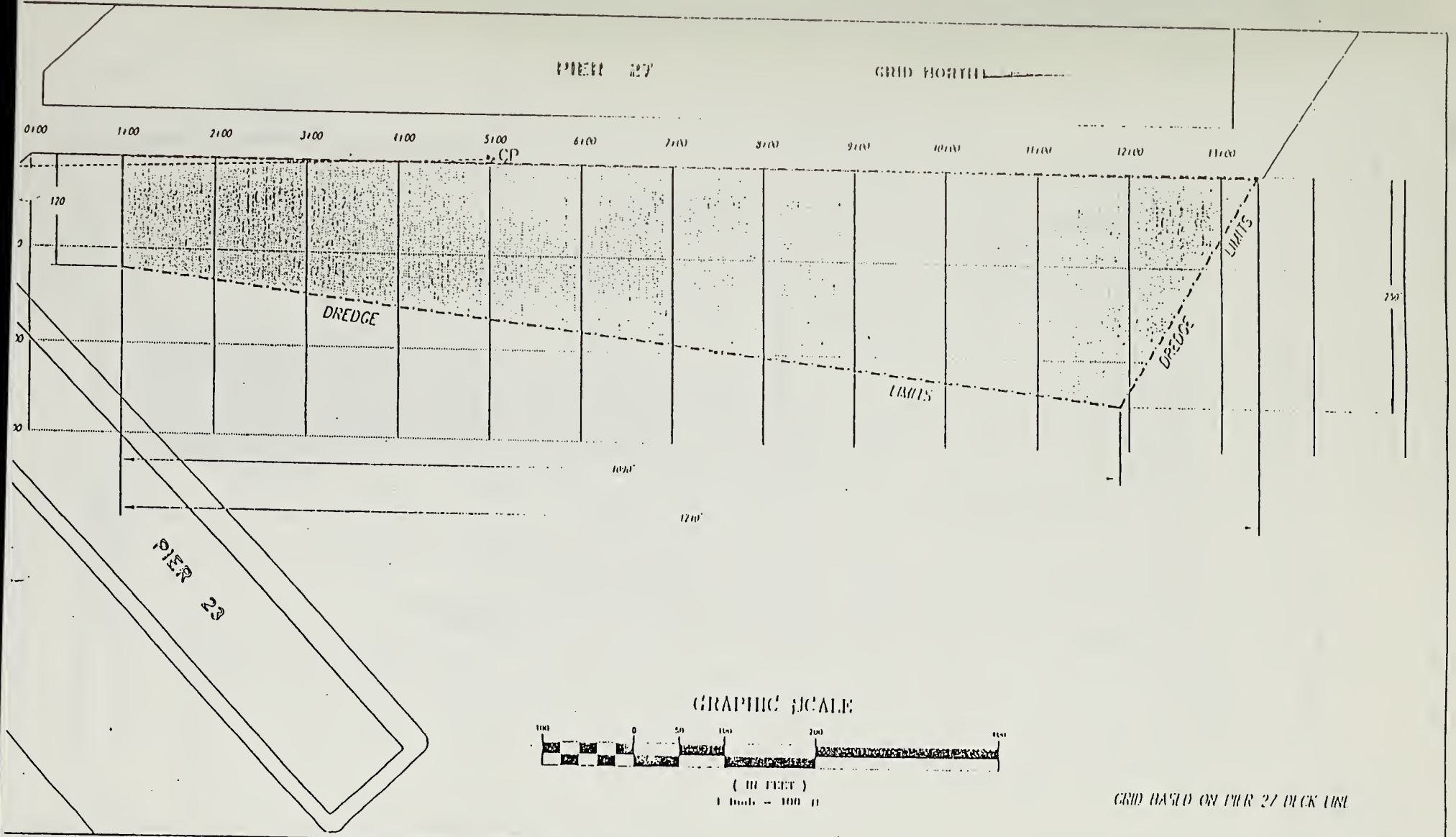
(IN FEET)
1 inch = 80 ft.

GRID NORTH



GRID BASED ON PIER 29 DECK LINE

PROVED BY N FRANCISCO PORT COMMISSION TE _____ CHIEF ENGINEER	SPECIFICATION NO. 2230 CONTRACT NO. 2620	PORT OF SAN FRANCISCO SAN FRANCISCO PORT COMMISSION DEPARTMENT OF ENGINEERING	EXHIBIT B-6 PIER 29 DREDGE LIMITS	IN CHARGE OF: L. DAVIE DRAWN BY: A. KELLING DATA FILES: --- DRAWING NO: 29BASE DATE: 30 APR 96 SCALE: 1" = 80'



PROVED BY
H FRANCISCO PORT COMMISSION
TE _____

CHIEF ENGINEER

SPECIFICATION NO. 2230

CONTRACT NO. 2620

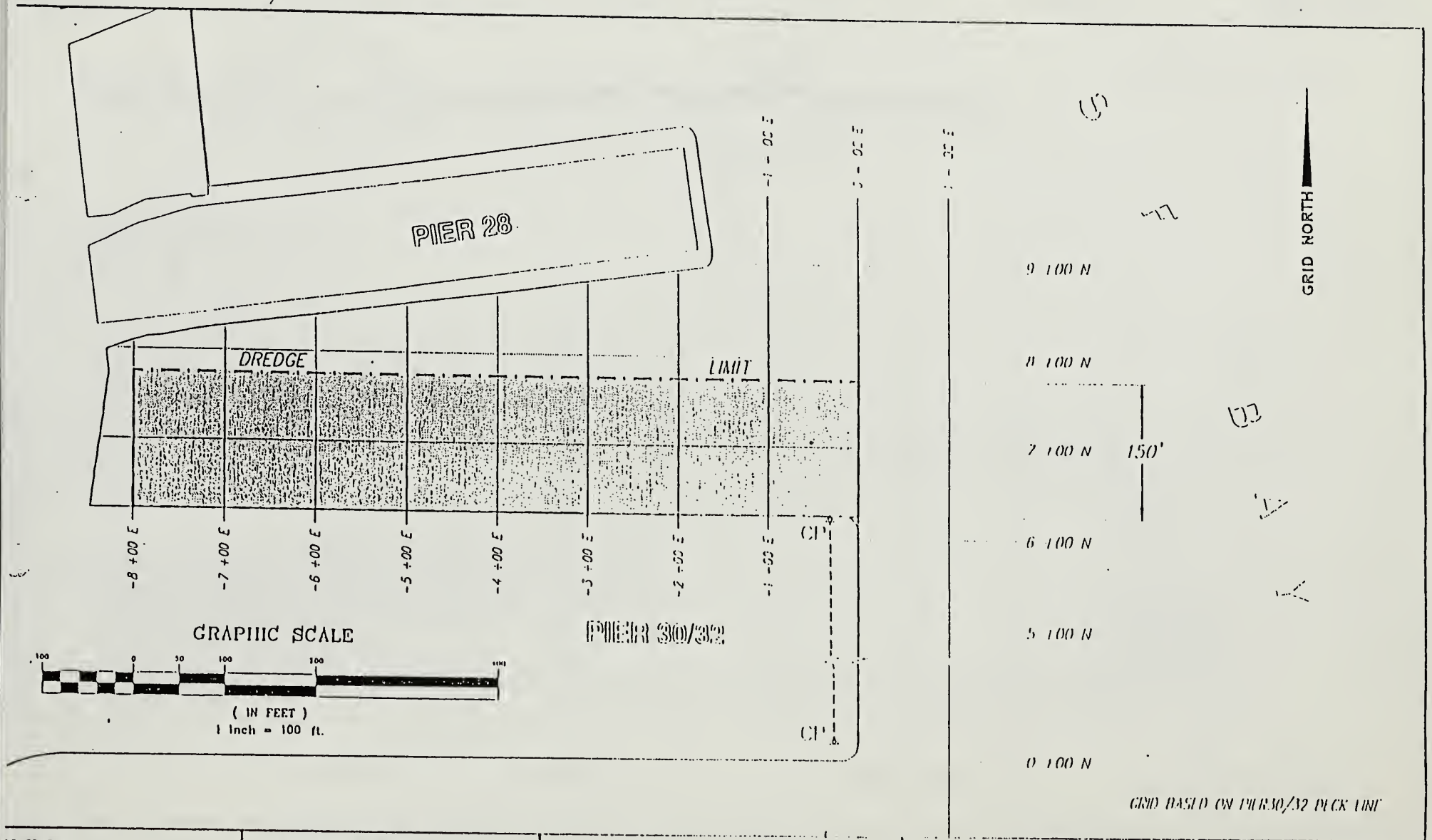
PORT OF SAN FRANCISCO
SAN FRANCISCO PORT COMMISSION
DEPARTMENT OF ENGINEERING

EXHIBIT B-7

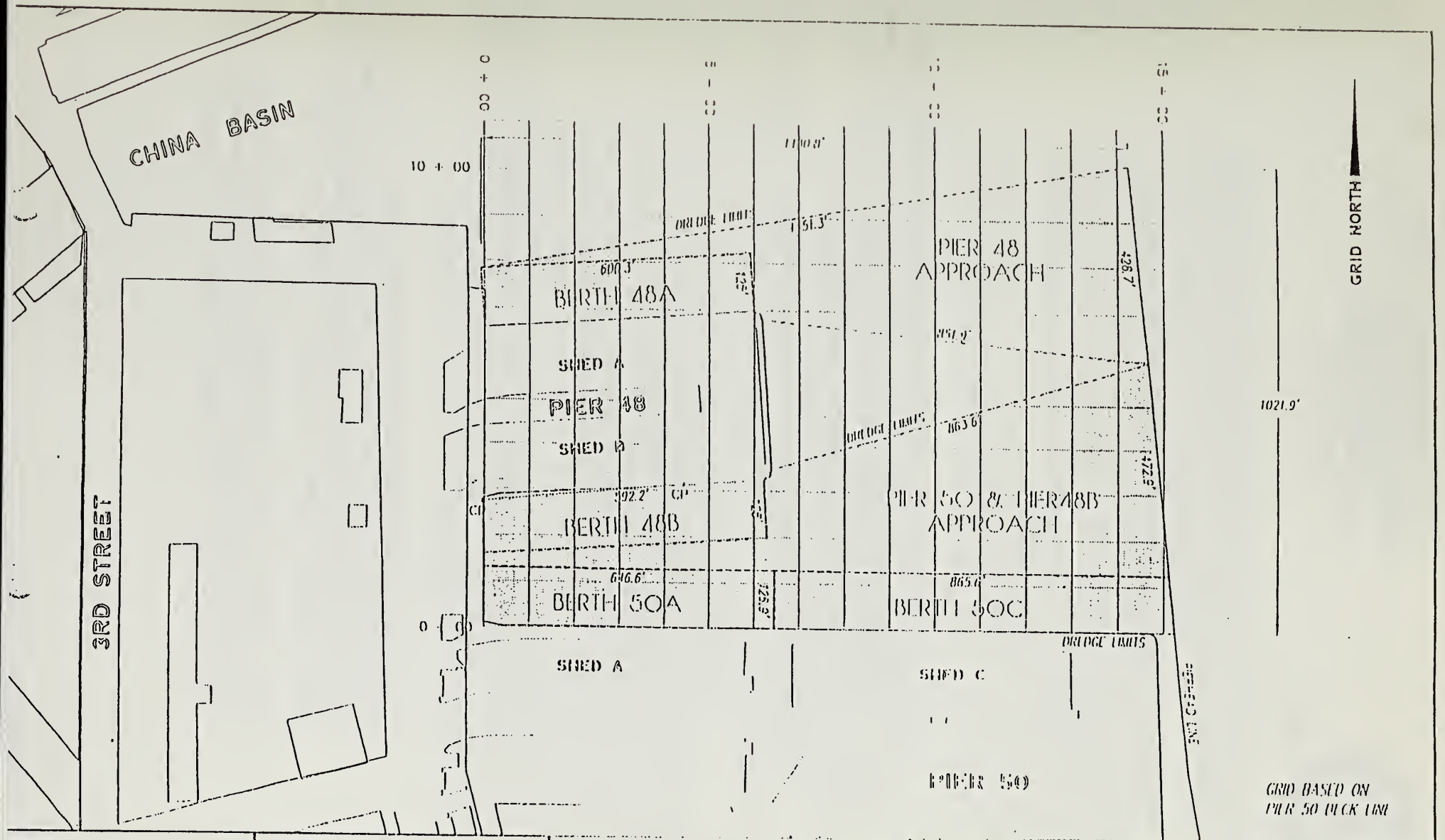
PIER 27

DREDGE LIMITS

IN CHARGE OF: L. HARRIS
DRAWN BY: AMH
DATA FILES:
DRAWING NO: 27DASE
DATE: 30 APR 96
SCALE: 1" = 100' | NO. 2 OF 11



ROVED BY FRANCISCO PORT COMMISSION CHIEF ENGINEER	SPECIFICATION NO. 2230 CONTRACT NO. 2620	PORT OF SAN FRANCISCO SAN FRANCISCO PORT COMMISSION DEPARTMENT OF ENGINEERING	EXHIBIT B-8 PIER 30 DREDGE LIMITS	IN CHARGE OF: L. QUIRK DRAWN BY: A. NEWBIG DATA FILES: -- DRAWING NO: PIER28.DWG DATE: 30 APR 96 SCALE: 1" = 100' | SIZE A B C D



APPROVED BY
SAN FRANCISCO PORT COMMISSION
DATE _____
CHIEF ENGINEER

SPECIFICATION NO. 2230

CONTRACT NO. 2620

PORT OF SAN FRANCISCO
SAN FRANCISCO PORT COMMISSION
DEPARTMENT OF ENGINEERING

EXHIBIT D-9
PIER 48/50
DREDGE LIMITS

IN OFFICE OF	L. WONG
DRAWN BY	AMH
DATA FILES	---
DRAWING NO	95EDASE
DATE	30 APR 96
SCALE 1" = 200'	NO 9 OF 11

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

OCT 1 8 2000

REPLY TO
ATTENTION OF:

Regulatory Branch (1145b)

SUBJECT: File Number 22718S: Maintenance Dredging - Episode 8

Ms. Carol Bach
Port of San Francisco
Ferry Building
San Francisco, California 94111

Dear Ms. Bach:

This refers to your submittal of September 21, 2000, (received by this office on September 29, 2000) requesting approval of your dredge operations plan for maintenance dredging of approximately 118,000 cubic yards (cys) of sediment from Pier 35 East and West at the Port of San Francisco, City and County of San Francisco, California.

According to your dredging plan, the Port intends to dredge and dispose in the following manner (volumes are approximate and include overdepth dredging):

Pier 35 East - 56,200 cys to SF-11 (Alcatraz Disposal Site);
8,500 cys to Winter Island; and
18,100 cys to Pier 94/96.
Pier 35 West - 32,400 cys to SF-11;
1,500 cys to Winter Island; and
600 cys to Pier 94/96.

Your operation plan has been reviewed and approved. With this letter you are hereby authorized to commence your maintenance dredging and subsequent disposal of dredged material at the Alcatraz Disposal Site, Winter Island and Pier 94/96 as per Corps of Engineers permit number 22718S (episode 8), with the following comments:

1. Submit weekly the disposal site verification log (enclosed). These can be faxed to Mr. David Dwinell at (415) 977-8495. This information is to be submitted to the Corps on the Monday following the dredge activity. **Please note that it is no longer necessary to obtain a confirmation number from the US Coast Guard.**

2. Submit weekly the dredge material disposal site summary (enclosed). These can be faxed to Mr. David Dwinell at (415) 977-8495. This information is to be submitted to the Corps on the Monday following the dredge activity.

3. Submit on Monday of each week the data disk from the electronic positioning data recorded from the previous week's work. This information should be addressed to Mr. David Dwinell, Operations and Readiness Division.

4. The location of the disposal of the dredged material shall be in quadrants A, B, and D of the Alcatraz Disposal Site (SF-11). Rotate disposal between the quadrants and drop the load in the approximate center of each quadrant. A map of the quadrants and their coordinates is attached for your reference.

5. You are limited to a total of 305,000 cubic yards per year. If you anticipate exceeding this quantity, please inform the undersigned.

6. Overflow requirements:

    a. During dredging operations: No overflow is allowed.

    b. Transportation from dredging site to disposal site: No material shall be permitted to overflow or spill from barge, bins or dump scows.

7. All conditions of your permit remain valid.

8. **The permittee or dredge contractor shall inform this office when a dredge episode actually commences, is suspended (suspension is when the dredge contractor leaves the dredge site for more than 48 hours for reasons other than equipment maintenance), is restarted and the actual date of completion. Each notification should include the Corps permit number and dredge episode number.** The information can be sent, to the attention of Mr. Rob Lawrence, in writing to the Corps of Engineers, Regulatory Branch, at the above address; FAXed to (415) 977-8483; by E-mail to rlawrence@spd.usace.army.mil or via telephone message at (415) 977-8447.

Should you have any questions regarding this matter, please contact Mr. Rob Lawrence of our Regulatory Branch at (415) 977-8447. If you wish to write, please address all correspondence to Mr. Rob Lawrence, Regulatory Branch and **refer to the file number at the head of this letter and include the dredge episode number.**

Sincerely,

Max R. Blodgett
Chief, Operations and
Readiness Division

Enclosures

Copies Furnished (without enclosures):

US EPA, San Francisco, CA (Kathleen Dadey)
US F&WS, Sacramento, CA (Mark Littlefield)
US NMFS, Santa Rosa, CA (Brian Mulvey)
CA F&G, Menlo Park, CA (Becky Ota)
CA BCDC, San Francisco, CA (Steve Goldbeck)
CA RWQCB, Oakland, CA (Glynnis Collins)
CA SLC, Sacramento, CA (Mary Howe)

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: Permit No. 22718S: Maintenance Dredging

LETTER OF MODIFICATION

Ms. Carol Bach
Port of San Francisco
Ferry Building
San Francisco, California 94111

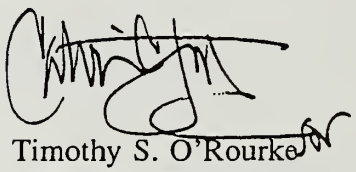
Dear Ms. Bach:

This is in response to your letter of September 8, 2000 (submitted by your consultant Ms. Bridgette DeShields of Harding ESE) seeking a modification of permit No. 22718S dated November 7, 1997 for an increase in the dredge footprint at Pier 35 East at the Port of San Francisco, City and County of San Francisco, California. The increased size is as shown on the drawing of Pier 35 East (entitled "Figure 1 - Pier 35 East Dredge Area," not dated) that was attached to your letter of September 8 and copied to this letter. Permit No. 22718S is hereby modified under the provisions of 33 CFR 325.7(b) to increase the dredge footprint at Pier 35 East as shown in the above-referenced drawing. The additional area is to be dredged to a requested design depth of -28 feet Mean Lower Low Water plus a two-foot allowance for overdepth dredging.

Except for the above modification, all terms and conditions of the original permit remain in effect.

Should you have any questions please call Mr. Rob Lawrence of our Regulatory Branch at (415) 977-8447. If you wish to write, please address all correspondence to Mr. Rob Lawrence, Regulatory Branch and refer to the file number at the head of this letter.

Sincerely,



Timothy S. O'Rourke
Lieutenant Colonel, Corps of Engineers
District Engineer

Enclosure

Copies Furnished:

US F&WS, Sacramento, CA Attn: Mark Littlefield
US EPA, San Francisco, CA Attn: Kathy Dadey
US NMFS, Santa Rosa, CA Attn: Brian Mulvey
BCDC, San Francisco, CA Attn: Steve Goldbeck
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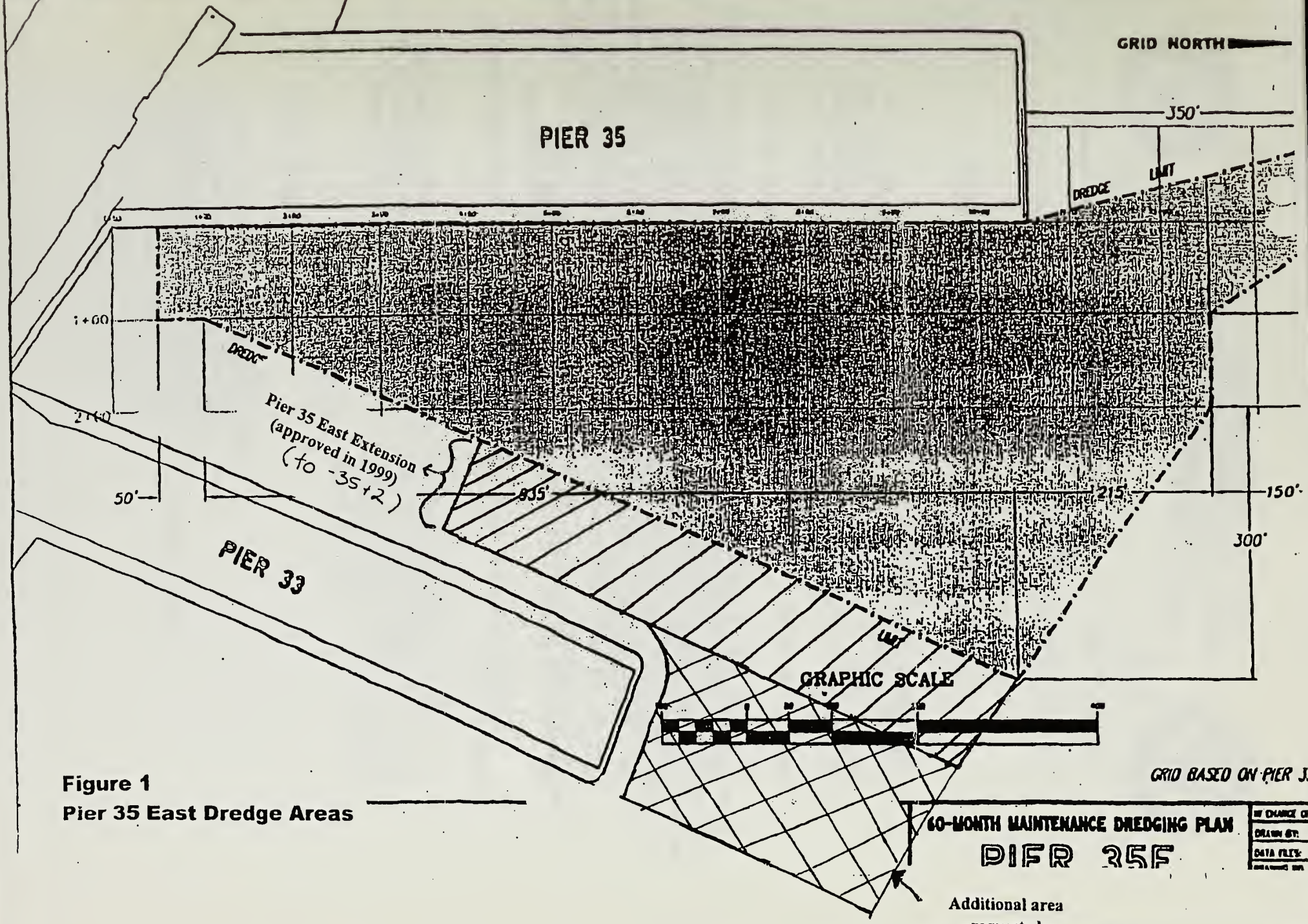

Figure 1
Pier 35 East Dredge Areas

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

JAN 25 1999

Regulatory Branch

SUBJECT: Permit No. 22718S

LETTER OF MODIFICATION

Ms. Roberta L. Schoenholz
Port of San Francisco
Ferry Building
San Francisco, California 94111

Dear Ms. Schoenholz:

This letter is in response to your letters of November 10, 1998 and January 5, 1999, seeking modifications of permit No. 22718S dated November 7, 1997. The first request is for an increase in volume of 62,000 cubic yards (cys) of material in order for the Corps permit to be consistent with an increase in volume given in BCDC's (San Francisco Bay Conservation and Development Commission) amendment number two to their permit number 2-97. The second request is for an additional 4,000 cys increase in volume in order to allow access for tug boats. Permit No. 22718S is hereby modified under the provisions of 33 CFR 325.7(b) to increase by 66,000 cys the volume allowed to be dredged from the Port facilities identified in the permit. The modified total should read 488,400 cubic yards.

Except for the above modification, all terms and conditions of the original permit remain in effect.

Should you have any questions please call Mr. Rob Lawrence of our Regulatory Branch at (415)977-8447. If you wish to write, please address all correspondence to Mr. Rob Lawrence, Regulatory Branch and refer to the file number at the head of this letter.

Sincerely,

Peter T. Grass
Lieutenant Colonel, Corps of Engineers
District Engineer

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

Regulatory Branch

NOV 04 1998

SUBJECT: Permit No. 22718SB

LETTER OF MODIFICATION

Ms. Roberta L. Schoenholz
Port of San Francisco
Ferry Building
San Francisco, California 94111

Dear Ms. Schoenholz:

This is in response to your letter of October 22, 1998, seeking a modification of permit No. 22718S dated November 7, 1997. Your request is to add Pier 80A to the list of piers to be maintained in the Port of San Francisco's (Port) maintenance dredging program. Due to an oversight at the Port, Pier 80A was not included in the schedule for maintenance dredging to be conducted during the life of this permit. Permit No. 22718S is hereby modified under the provisions of 33 CFR 325.7(b) to include Pier 80A.

Except for the above modification, all terms and conditions of the original permit remain in effect.

Sincerely,

Peter T. Grass
Lieutenant Colonel, Corps of Engineers
District Engineer

Copies Furnished:

US F&WS, Sacramento, CA (Mark Littlefield)
US EPA, San Francisco, CA (Brian Ross)
US NMFS, Santa Rosa, CA (Chris Mobley)
CA BCDC, Permit No. 2-97, San Francisco, CA (Glynnis Collins)
CA F&G, Menlo Park, CA (Becky Ota)
CA RWCQB, Oakland, CA (Jack Gregg)
CA SLC, Sacramento, CA (Mary Howe)

APPENDIX F

ADOPTED 1997 WATERFRONT PLAN FEIR MITIGATION MEASURES

Exhibit A

MITIGATION MEASURES AS ADOPTED BY PORT COMMISSION

Transportation

D-1 (Modified from FEIR)

To maintain an acceptable level of service at the intersection of Bay Street and the Embarcadero during the weekday P.M. peak hours, the Port Commission will recommend the provision of a right turn arrow for the Bay Street approach to the intersection when a traffic study demonstrates that a Port project contributes traffic to this intersection such that the right turn movement from Bay Street onto the Embarcadero operates at an unacceptable level of service during the weekday P.M. peak hour. Otherwise, the Port will authorize the described improvements when the Department of Parking and Traffic determines that they are necessary.

D-2 (Modified from FEIR)

To maintain an acceptable level of service at the intersection of Bay Street and the Embarcadero during the weekday P.M. peak hour and during the Saturday midday peak hour, the Port Commission will recommend the provision of a right turn arrow for the Bay Street approach to the intersection eastbound when a traffic study demonstrates that a Port project contributes traffic to this intersection such that the right turn movement from Bay Street onto the Embarcadero operates at an unacceptable level of service. Otherwise, the Port will authorize the described improvements when the Department of Parking and Traffic determines that they are necessary.

D-3 (Modified from FEIR)

To maintain an acceptable level of service at the intersection of North Point Street and the Embarcadero during the weekday P.M. peak hour, the Port Commission will recommend the provision of a right turn pocket, by removing two to three parking spaces and removing the red zone along the southern edge of North Point Street approaching the intersection, when a traffic study demonstrates that a Port project would contribute traffic to this intersection such that the right turn movement operates at an unacceptable level of service. Otherwise, the Port will authorize the described improvements when the Department of Parking and Traffic determines that they are necessary.

D-4 (Modified from the FEIR)

As part of the required environmental review for each project, the Port will comply with the Office of Environmental Review's requests for information including, if appropriate, requiring an analysis of intersection level of service for existing and future conditions at intersections which

may reasonably be expected to be affected by that development, and require identification and implementation of appropriate mitigation measures.

D-6c (Modified from the FEIR)

The San Francisco half-cent sales tax for transportation expires in the year 2009. The Transportation Expenditure Plan establishes a prioritized list of specific projects for use of these funds. It is possible, if not likely, that the San Francisco County Transportation authority, which administers the sales tax funds, may seek reauthorization of the sales tax prior to its expiration. A new Transportation Expenditure Plan would need to be prepared to support such reauthorization. The Port will actively support identification of specific transit improvements along the waterfront that serve the Project Area, including commuter ferries and water taxis, which could help mitigate unmet transit demand identified in this EIR as a component of this Expenditure Plan.

D-7 (Modified from the FEIR)

To help induce shifts from vehicles to transit and thereby partially mitigate local intersection impacts and regional highway impacts, the Port will require and/or institute Transportation Demand Management Programs among developers of major trip generators.

Such programs typically target primarily commute trips, with various educational, assistance and incentives measures to encourage carpooling and vanpooling, and transit use. These measures may be accompanied by such "disincentives" to low-occupant private vehicle use as restricting the amounts and/or location of parking made available to employees, and charging higher fees for all-day parking. Also typical are measures designed to shift time of commute travel to the "shoulders" of the peak, and/or to encourage less trip making through alternative work schedules and telecommuting. The effectiveness of these programs is variable, but they are most appropriate and effective when there are substantial constraints to vehicular travel, circulation and storage coupled with suitable options such as excellent transit accessibility. San Francisco, in general, and its downtown and portions of the waterfront in particular, exhibit this combination of factors.

The Port will also implement similar programs which would target non-commute travel. An example of the type of measure which might be included in the issuance of discount admission to some uses, or reductions in the price of services and/or merchandise, upon presentation of a valid transit transfer or other proof of transit use payment. The Academy of Sciences in Golden Gate Park has instituted such a program, and the Pier 39 aquarium (Underwater World) also has a requirement to conduct such a program. Additionally, a free shuttle along The Embarcadero could be a part of this type of program, and would help alleviate local auto congestion.

The ability of the Port to mandate some types of Transportation Demand Management programs may be limited by the recent enactment by the State of California of SB437. This legislation prohibits any public entity from requiring employer-based trip reduction programs. The types of

programs and measures described above are included in the definition of employer-based trip reduction. Under the legislation, voluntary efforts on the part of individual employers is allowed. The legislation may be interpreted such that negotiated Development Agreements, or other types of agreements negotiated between a project sponsor and a regulatory or permitting agency, including a commitment to implement such programs, constitutes a voluntary action on the part of the employer/project sponsor.

Air Quality

F-1 (Modified from the FEIR)

Construction contractors will be required by the Port to implement a dust abatement program to reduce the contribution of project construction to local PM10 concentrations. Elements of this program should include the following:

- Apply water over portions of the site in a manner that is consistent with the statewide Storm water Discharge Permit for Construction or other required agency approvals, as follows:

  - Water internal roadways on unpaved lots under construction just prior to the morning and evening peak traffic periods (to limit the potential for major roadway traffic to entrain dust), limit speeds to 10 mph, and sweep paved internal roads after the evening peak period.

  - In addition, water active sites (e.g. where major earthwork is underway) as appropriate. Increase the frequency of watering when wind speeds exceed 15 miles per hour. Suspend all excavating and grading operation when instantaneous gusts exceed 25 miles per hour.

  - Enclose, cover, water twice daily, or apply soil binders to exposed stockpiles of sand, gravel, and dirt.

- Replace ground cover in disturbed areas as quickly as possible

- Sweep adjacent City streets at the end of day if any visible soil material is carried over to adjacent thoroughfares.

- Designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary.

F-2 (As proposed in the FEIR)

Measures to reduce vehicle trips would also help to improve air quality. See Section VI.D.

Mitigation Measures, Transportation, p. 644. The Port will adopt measures to reduce vehicle trips to improve air quality. However, it is unlikely that these measures would result in trip reductions that would reduce emissions of criteria air pollutants such that no criteria air pollutants would exceed the Bay Area Air Quality Management District significance thresholds.

F-3 (As proposed in the FEIR)

Federal and State authorities (the U.S. Environmental Protection Agency and California Air Resources Board, respectively) are considering establishment of emissions standards for new marine engines that could ultimately limit or reduce emissions from marine vessels. However, there are no feasible mitigation measures for marine vessel emissions that are within the jurisdiction of local or regional agencies such as the Port or the Bay Conservation and Development Commission.

Visual Quality and Urban Design

G-1 (Modified from the FEIR)

To retain, replace and/or expand visual access to resources of high visual quality, the Port Commission will incorporate policies and development standards in its *Waterfront Design and Access Element* that define and improve important visual and urban design qualities including public access areas and specified historic structures along the Port waterfront. The *Design & Access Element* includes design criteria for different property types (seawall lots, bulkhead sites and piers, including pier sheds) and site specific design criteria for individual sites which are organized into six subareas. The Port Commission, and the Planning Commission, for projects requiring Conditional Use Authorization, will adopt specific findings regarding a project's consistency with the *Waterfront Land Use Plan* and its *Design & Access Element*, as further amended to include conclusions of future preservation planning and special studies. Other significant projects located in Special Use Districts #1 and #3 will incorporate design recommendations developed through a proposed waterfront design review process.

G-2 (Modified from the FEIR)

The Port will consider visual quality objectives early in the development of proposed projects, evaluate projects against the standards developed above, and ensure that project approvals are consistent with the adopted standards.

Because development projects that thoughtfully consider visually prominent resources early in their planning process would be less likely to result in obstruction of resources, the Port will develop and adopt a policy or regulation that encourages and supports such early consideration and that requires projects to be consistent with the urban design guidelines described above. The policy will be adopted separately or will be incorporated into the WLUP.

The Port Commission will consider approval of the following two edits to the *Waterfront Land Use Plan* (WLUP) which would document this commitment: 1) The project implementation flow chart in Chapter 5 of the WLUP will be modified to indicate that project feasibility issues, including "urban design guidelines applicable to the site and vicinity as outlined in the *Waterfront Design & Access Element* will be considered during the 2nd stage of the Waterfront Plan Implementation Process, and 2) Implementation recommendation (3) on page 175 of the WLUP will be revised as follows: "Urban design policies and design guidelines set forth in the *Waterfront Design & Access Element* will be considered in identifying development concepts and will be reflected in the specifications included in the request for proposals. All approval actions by the Port Commission will include findings regarding a project's consistency with the *Waterfront Land Use Plan*, including the *Design & Access Element*, as further amended to include conclusions of future preservation planning and special studies."

G-3 (Modified from the FEIR)

The Port will add policy language or development standards to the *Waterfront Design and Access Element* that will address adverse effects related to shadow and wind impacts on designated public access areas and vantage points within areas that have height limits above 40-feet.

For sites that have height limits above 40-feet, the *Waterfront Design and Access Element* will consider shadow and wind impacts on urban design resources and the visual quality experiences within areas of public access. (No adverse effects from shadow or wind are expected from buildings under 40-feet in height.) Design policies will discourage excessive winds and shadows that would be cast on areas of public access and public vantage points with views of visually prominent resources. The Port will also incorporate standards from Section 148, Reduction of Ground Level Wind Currents in C-3 Districts into the *Waterfront Design and Access Element* for the parcels that have height limits over 40-feet.

<u>Biological Resources</u>

H-1 (Modified from the FEIR)

The Port will limit dredging operations and pier repair/replacement to between March 1 and November 30 to eliminate any potentially significant impacts of dredging or pier repair/replacement on the Pacific herring fishery. In exceptional cases where dredging operations or major pier repair/replacement operations (beyond routine maintenance) must conflict with the herring season, the Port will obtain permission from the permitting agencies, including but not necessarily limited to the U.S. Army Corps of Engineers, Bay Conservation and Development Commission, State Department of Fish and Game, and Regional Water Quality Control Board. The Port will comply with specific monitoring requirements established by these and other agencies to avoid impacts on the herring fishery.

H-2 (As proposed in the FEIR)

Prior to demolition or renovation of any abandoned building between August 15 and October 15, or between February 1 and May 1, survey(s) will be conducted by a qualified bat biologist. If no Townsend's western big-eared bats are found during the survey(s), no additional mitigation is required.

If Townsend's western big-eared bat, a California Species of Special Concern, is found during an August-October survey, appropriate exclusion devices approved by CDFG & USFWS will be installed by a qualified bat biologist. Once the bats have been excluded, demolition may occur.

If Townsend's western big-eared bats are found during a February-May survey, demolition should not take place until the end of the nursery season in August. Exclusion devices should be placed by a qualified bat biologist in accordance with CDFG and USFWS.

Geology, Soils and Seismicity

I-1 (Modified from the FEIR)

A geotechnical investigation will be conducted under the direction of a Geotechnical Engineer prior to permitting any new construction or reuse of an existing structure for new uses that increase the load of the structure so as to trigger the requirements of Section 3403.6 of the San Francisco Building Code. The geotechnical investigation will be performed to evaluate subsurface conditions and existing foundation conditions at the site. The geotechnical investigation will evaluate the potential hazards such as settlement, ground shaking, ground rupture, liquefaction, subsidence, slope stability, and lateral spreading. Recommendations will be made to a structural engineer regarding mitigation of geologic hazards, if appropriate. A geotechnical report will be prepared and made available to the project structural engineer of record for the purposes of establishing the design of new foundations, upgrading of existing foundations and seismic design.

I-2 (As proposed in the FEIR)

All open sub-grade structures and pits, whether temporary or permanent, will be provided with protection against damage resulting from adjustment to buoyant and lateral deforming soils.

All construction and design of such projects will provide specific measures to prevent hazards to people and damage to proposed or nearby structures that could result from these adjustments. In some cases, a specific geotechnical investigation may be required for permanent open sub-grade structures and open underground structures.

I-3a (Modified from the FEIR)

Prior to any construction that would require dewatering, the project applicant will submit and the

Port will review a dewatering and excavation plan and an analysis of potential impact to adjacent properties to determine whether the potential exists to damage off-site property. The dewatering plan will include an evaluation of ground water quality, potential impacts on groundwater flow patterns, and groundwater disposal. The plan will be reviewed by the Port and other regulatory agencies as appropriate to the project and site conditions.

As a standard practice, the Port will require an application package that will indicate the amount of dewatering and the period over which dewatering may be required. The package will include a survey of adjacent structures with information concerning their age, foundation type, construction type, status as a historic landmark or structure of special significance, and record of any existing damage. The package should also identify adjacent City streets and the location of buried infrastructure. In addition, the application will indicate any specific mitigation measures incorporated into the project to minimize measures incorporated into the project to minimize hazards to structures.

I-3b (As proposed in the FEIR)

To minimize dewatering hazards, construction projects will provide shoring of all excavation pit walls, and provide supports to adjacent structures, including foundation support if needed.

I-3c (As modified from the FEIR)

All applicants for construction projects involving dewatering (as well as vibration-inducing pile driving) will post a surety bond or other financial assurance to cover the costs of potential damage to off-site property from construction. (The bond is included in this EIR as a mitigation measure because of the uncertainty that other mitigation measures would protect off-site property from damage. If needed, the bond would be used to repair off-site damage and thus mitigate that impact.) The amount of the bond will be determined by the Port.

I-3d (Modified from the FEIR)

Prior to any construction that would require dewatering or pile driving, the Port or Project Sponsor will notify all property owners within 200 feet of the proposed construction activity at least 30 days prior to the date of initiating demolition or excavation, whichever is the first activity to occur. The Port will provide an opportunity for all property owners to comment on the construction activity and allow them the opportunity to have their property photo-documented for its pre-construction condition. The Port is responsible for inspection of construction activities and should note any observations of proven or suspected subsidence damage on the site and at adjacent sites. This measure would allow adjacent property owners to document the condition of their property prior to initiation of an activity that could result in damage. If damage does occur, the measure would help to identify the extent of the damage caused by construction within the Project Area.

I-4 (As proposed in the FEIR)

For impacts from pile driving, the Port and project sponsors will implement Measures I-3a through I-3d.

I-5 (Modified from FEIR)

Proposed new dredging activities (deeper than the designed depth or in different locations than ongoing maintenance dredging) will be reviewed by an engineering geologist to assess potential hazards to Port facilities. Dredging programs in areas with a past history or high potential for lateral movements of Bay Mud should be designed to hold a slope without readjustment or slippage. (This measure would apply to suction and clamshell dredging.)

To minimize slope failure in the Bay sediments, dredged cuts will be properly designed and dredged, as recommended by the engineering geologist. Typically, subestuarine slopes in soft Bay sediments are cut at 3:1 to 6:1 (horizontal to vertical ratio).

I-6 (As modified from the FEIR)

If demolition is not immediately followed by redevelopment, the Port will carry out or require effective measures that leave the site of all demolished buildings in a condition that will not pose a life safety hazard or potential to damage adjacent properties.

Such measures will include removal and/or proper sealing of pipes (including water, gas, and sewer lines), establishment of effective shoring or construction of retaining walls for unstable pit walls, filling of basements that create hazardous conditions, removal of hazardous substances, and other measures as deemed appropriate at a specific site, such as fencing. The Port will be responsible for vacant lands that may include the hazards identified in Section V.I., Geology, Soils and Seismicity, (Hazards from Demolition), pp. 567-568. The above measures are minimum requirements to ensure that hazards would be held at acceptable levels until such time as land development could occur. The Port will be responsible for carrying out the mitigation or overseeing compliance with it.

I-7a (As proposed in the FEIR)

New high-occupancy mid-rise structures (i.e., on the order of 6 to 15 stories) in the Project Area will be designed with the aid of a dynamic method analysis. The Port will consider establishing specific building design criteria developed by a task force of structural engineers to determine which types of structures (considering framing system, foundation, height and massing) should be designed using a dynamic method analysis and adopt this requirement as a Waterfront Land Use Plan policy.

The severe ground shaking hazards of Port lands indicate that large structures (including high-

occupancy mid-rise structures) should be designed to meet seismic resistance standards greater than the minimum standards in the UBC. The UBC does not require this except for certain buildings (none of which are specifically identified in the Waterfront Land Use Plan, although the Ferry Terminal is being designed as an "essential structure," to more stringent earthquake force design requirements. Fire and police stations, hospitals and schools also would be essential structures). Currently, the best available method for achieving this end is the use of a dynamic method analysis for the design of the buildings. This method incorporates a consideration of the response of the site soils to earthquakes generated in the region. For each building, the site response spectra are modeled and incorporated into the structural design. As noted in the Setting (Section IV.I., Geology, Soils and Seismicity, p. 262), the entire Project Area should be considered part of a "special studies zone" in which the severe earthquake hazards of ground shaking and secondary effects are evaluated and incorporated into structural designs. Use of a dynamic method analysis substantially enhances the chances that the new building would be more resistant to collapse and damage from a major earthquake than if it meets only the minimum UBC requirements. The higher costs associated with using the method and applying it in design and construction likely are significantly less than those that would result from a building being red-tagged or required to undergo substantial repair following a major earthquake.

I-7b (As proposed in FEIR)

To minimize seismic hazards to building occupants from non-structural damage, the Port will require all Port facilities and tenants to carry out the following measures at a minimum: heavy objects should be attached to secure walls and floors, and light, loose objects should be placed to minimize their potential to move or overturn; large storage containers should not be loosely stacked, and those stored on shelves should have appropriate restraints or other means to prevent them from tipping or sliding off the shelves.

Heavy objects like freezers, boilers, chillers, laboratory equipment, battery racks and electrical transformers, heavy storage cabinets, tanks, safes, oversize file cabinets, etc., should be firmly secured to floors and walls to prevent their falling or sliding. All equipment using natural gas should be anchored. Care should be taken to avoid placement of such objects where they could topple or move and block exit doors.

I-7c (As modified from the FEIR)

Because of the large number of employees and visitors in some facilities potentially on-site in an earthquake and the likelihood that the facilities will be needed to supply emergency response services, high-occupancy facilities that are suitable to supply emergency response services will be required to store emergency response supplies and equipment on-site for a 72-hour reserve.

It is likely that emergency response systems in San Francisco and in the Bay Area as a whole would be overloaded in the immediate aftermath of a large earthquake. Because of the large population that may be present in the Project Area in an earthquake (especially under Alternatives

A and B), it likely would be necessary for offices, hotels, industrial facilities and residents to be relatively self-sufficient for a period of a day or two until supply systems can be restored. Observations from large earthquakes, such as Mexico City in 1985 and Kobe in 1995, confirm that most supply services for water, power, food and medical supplies would be unavailable for a minimum of 72 hours after the earthquake. For this reason, medical supplies needed for common earthquake injuries, stretchers, blankets, flashlights and at least 72 hours potable water and non-perishable food supply will be stored at easily accessible locations in offices, business complexes, hotels and large residential structures. Heavy crow-bars, other heavy tools, and hand-operated loudspeakers will be kept in easily accessible and well-marked locations in every building and in large parking structures.

I-7d (As proposed in FEIR)

Non-structural interior elements (ceilings, partitions, light fixtures, HVAC, pipes, etc.) will be designed to withstand strong ground shaking and remain intact. This would be accomplished, for example, by selecting lightweight materials and firmly securing them to structural elements of the building and by using flexible connections for pipes.

I-7e (As modified from the FEIR)

The Port, pursuant to the Uniform Plumbing Code, requires the use of flexible utility connections and that water heaters be fastened to walls. The Port will not permit the installation of automatic shut-off valves for water supplies. The Port will require appropriate signage indicating the location of shut-off valves for natural gas, in accordance with Fire Department requirements.

I-7f (Modified from FEIR)

The Port will require fire extinguishers to be located throughout all facilities in compliance with the Fire Code. The Port will require that cabinets are not placed where they could overturn and block access to fire extinguishers. New leases will require the training of all staff of offices, hotels, industrial facilities, restaurants and entertainment complexes in the use of fire extinguishers.

I-7g (Modified from FEIR)

The Port has completed an Emergency Plan which includes earthquake preparedness and response plans, covering all development within the Project Area.

The Port will assign responsibilities for plan implementation and train all employees in plan elements. The Port will assist its tenants with earthquake preparedness and response planning and will establish thresholds, in consultation with the Fire Department and/or Health Department, for applying lease provisions that require tenants to prepare an earthquake preparedness and response plan. Some of the key provisions of an earthquake preparedness plan include the following:

- Assign responsibilities for disaster control, including primary responsible individuals and back-ups.

- Ensure that individuals with assigned responsibilities are aware of their proper roles (e.g., medical response, fire response and coordination with the Fire Department, locating the whereabouts of all individuals within an assigned area/unit, conducting periodic inspections to reduce earthquake hazards within individual work areas, and maintaining a stock of necessary emergency response supplies and equipment).

- Train all employees in self-protective behavioral response during an earthquake. Train all employees in the use of fire extinguishers.

- Inform all employees about the location of emergency response equipment and supplies.

- Train all employees to report to an emergency supervisor at a designated safe location immediately after an earthquake.

- Provide free and accessible general first aid training. Training for injuries related to spills of hazardous substances during an earthquake is included in OSHA-required Contingency Plans.

- Conduct an earthquake drill at least once a year.

Some elements of an emergency response plan include the following:

- Assign all employees a predesignated place and individual to report to immediately after an earthquake.

- Establish a search and rescue plan within designated areas.

- Establish designated areas at or near the ground floor for short-term occupancy by employees or alternatively, set up shelters in outside areas in a safe place.

- Provide battery-operated radios and televisions in these areas.

- Establish a chain-of-command and operations center for dealing with fires, spills, and damaged structures.

- Assign individuals to coordinate with the Fire Department if they arrive on-site to respond to a fire. The Fire Department may have additional requirements for emergency preparedness and response.

- Design response plans for an objective of near-regular medical service capability.

Implementation of Measures I-7a through I-7i will reduce the hazards of an earthquake to an acceptable level of risk, within the requirements of the City of San Francisco. Earthquake hazards will not be entirely eliminated, and both Alternative A and Alternative B would therefore result in significant effects related to earthquake hazards that will not be fully mitigated, by exposing increased numbers of persons to substantial danger in an earthquake.

I-8a (As proposed in FEIR)

The Port will take feasible steps to minimize potential earthquake safety risks related to hazardous materials in its operations and that of its tenants.

Specific steps may include appropriate seismic safety provisions, such as prohibiting the storage of hazardous materials in containers above head level (about five feet); anchoring hazardous materials shelves and heavy equipment to walls and floors; constructing heavy doors that are designed to remain shut during earthquake vibrations; providing hand-operable closures for vents and air ducts; and other provisions as discussed in the Association of Bay Area Governments' *Hazardous Material Problems in Earthquakes: A Guide to Their Cause and Mitigation*. Other measures will be implemented as recommended by the San Francisco Fire Department and/or Health Department. Additionally, the Port will prepare an Emergency Procedures Manual and periodically revise it to be consistent with changes in the facilities and operations.

I-8b (Modified from the FEIR)

The Port will require tenants to design all facilities for storage of hazardous chemicals in containers in accordance with City and County of San Francisco Department of Health requirements and other applicable regulations to minimize potential hazards in an earthquake. The Port will require tenants to report on compliance and will assist tenants with compliance and conduct inspections, as feasible.

Storage facilities will include safety lips to contain spills and to reduce the likelihood of contents falling. All shelves and cabinets will be secured to a wall or ceiling. All cabinets and drawers will be provided with positive latches that will not open during earthquake motions and vibrations. Compressed gas cylinders, including empty ones, will be secured to fixed features. Gas cylinders will be secured at two locations along their vertical axis, one in the top one-third of the cylinder and another in the bottom third of the cylinder.

Hazardous chemicals will be stored in approved containers and incompatible chemicals will be stored in separate areas. If chemical storage is vented by an electric fan, an alternative (emergency) means of ventilation will be provided, which may be a mechanical (non-powered) vent.

Implementation of Measures I-8a and I-8b will reduce hazardous materials-related non-structural safety hazards of an earthquake to an acceptable level of risk.

I-9a (As proposed in FEIR)

Project sponsors, including the Port, will employ an engineer qualified in earthquake engineering to incorporate into the final design of individual facilitates developed under the WLUP all economically feasible engineering methods to reduce the potential for loss of life-line services. This may include methods to improve unstable ground conditions, to strengthen infrastructure to be more resistant to earthquake induced ground movements, and to organize and prepare for earthquake response.

While specialized techniques for ground improvement to reduce likely liquefaction hazards are not practical or economically feasible over large areas, ground improvements within selected strategic sites may result in substantial hazard reduction to utility systems. In such areas a variety of ground stabilization techniques may be considered, such as compaction grouting, placement of stone columns, and deep soil mixing.

As recommended in the report to the Department of Public Works titled *Liquefaction Study, North Beach, Embarcadero Waterfront, South Beach, and Upper Mission Creek Area, San Francisco, California, January 1992*, the Port, in conjunction with the San Francisco Public Works Department and Fire Department, will consider planning pipeline system modifications such as enhancement of system redundancy with additional piping or provision of new pipe routes which avoid poor soil areas, strengthening of pipes and joints, and avoidance of contact with neighboring utilities. The recommendations of that report with regard to post-earthquake serviceability also will be considered, including subdividing the Auxiliary Water Supply System (AWSS) into north/south halves, replacing corroded tie-rods on pipelines, increasing the size of the portable water supply system, adopting a standing order to start pumps at pump stations No. 1 and No. 2 following an earthquake, designating a San Francisco Fire Department water supply officer for earthquake response, arranging a volunteer marine crew to staff the second fire boat in the event of an earthquake, adding flexible joints at water main pile-supported sewer crossings; improving AWSS fire hydrant foundations and connections; developing an automated AWSS leak detection and isolation system; reviewing current infirm areas boundaries, and hardening corridors for AWSS mains at fire boat manifolds by installing new pipes on piles.

Additional measures also recommended in that report for the Municipal Water Supply System include developing procedures to supply water to the University Mound Pressure District service area (which includes all of the Port lands north of Warm Water Cove) from adjacent pressure districts, routing a new University Mound feeder main around regions of high liquefaction potential, installing flexible joints at mains crossing over pile-supported sewers, providing a planned System Control and Data Acquisition (SCADA) system to monitor flows and detect leaks and breaks after an earthquake, and developing mutual aid agreements with other water districts. Recommended mitigation for the sewers include training sewer repair crews in emergency

response to earthquakes, maintaining an inventory of, or access to, large capacity sewage pumps, maintaining an emergency supply of construction and sewer repair materials, requiring seismic resistant material and construction for all new installations, and replacing structurally weak sewers using improved materials and construction methods in areas subject to liquefaction as part of the long range, Citywide replacement program.

I-9b (As proposed in FEIR)

For individual development projects, the use of flexible connections for utility lines may be needed (see Mitigation Measure 7.g). Back-up supplies of water, power generators, and battery-operated telecommunications equipment may need to be installed (or enlarged at the existing facilities). The engineer will recommend the appropriate approach (e.g., separate facilities and equipment or upgrading existing facilities) for all Project Area facilities.

I-9c (As modified from the FEIR)

The Port will encourage the City's Office of Emergency Services, Fire Department and Police Department to plan routes of alternative emergency access to development sites and cooperate in such planning efforts.

Available routing for emergency response vehicles needs to be quickly assessed following an earthquake and conveyed immediately to ambulance drivers, fire persons, and police officers. Consistent with the City's Civil Defense and Disaster Operation Plan, information will be provided about routing to hospitals including consideration of streets blocked by debris, collapsed or unsafe bridges, and streets rendered impassable by road damage. To prepare for such possible loss of access, the City will consider developing alternative routing concepts to reach the hospitals and familiarize ambulance drivers, fire persons, and police with the alternates.

I-10a (Modified from the FEIR)

The Port will develop and follow an inspection schedule for regular inspection and evaluation of the condition of its piers. In conjunction with the inspection schedule, a maintenance and repair schedule will be developed and implemented, within the financial means of the Port.

I-10b (Modified from the FEIR)

Piers that are in poor condition will be repaired or demolished and removed, if feasible, as determined in the capital projects budgeting process. If repaired, piles that are deteriorated will be replaced or the portion that is rotted or deteriorated should be cut off and replaced with a concrete steel sleeve. A structural engineer will be consulted regarding the repair of the piers.

I-11a (Modified from the FEIR)

At the time of anticipated tsunami incursion, the San Francisco Police Department will close off the immediate waterfront area of Aquatic Park, Fisherman's Wharf and the Hyde Street Pier to the public. The Port will request all marina operators to close off access to the docks for the public and boat owners and request ferry boat operators to prevent people from standing on water-level ferry loading docks everywhere in the Project Area.

This mitigation measure will help to reduce the potential for casualties to occur from tsunami by keeping people away from areas where injury could occur. Damage to facilities would not be mitigated.

Historic Resources

N-1 (Modified from the FEIR)

The Port Commission will incorporate language in the *Waterfront Land Use Plan's Waterfront Design & Access Element* which encourages retention and reuse of designated historic architectural resources and potentially significant resources found to be significant (pursuant to Measure N-2) and which outlines the future studies which may adequately mitigate potential significant adverse effects on historic architectural resources. In addition, the *Waterfront Design & Access Element* also includes design criteria intended to ensure that the design, materials, style, and detailing of new buildings, street furniture, and other public improvements enhance rather than conflict with historic resources.

The *Waterfront Design & Access Element* states that the Port will work with the State Historic Preservation Officer, local historic preservation organizations, and other waterfront constituencies to evaluate waterfront historic resources; nominate significant resources for formal recognition (e.g., listing in the National Register of Historic Places); and explore options for coordinating policy for these resources, including programmatic agreements for two areas of the waterfront: Fisherman's Wharf to China Basin, and Pier 70.

Within the area from Fisherman's Wharf to China Basin, the Port will:

1) Rehabilitate and adaptively reuse the following resources consistent with *The Secretary of the Interior's Standards for Rehabilitation of Historic Buildings (Secretary's Standards)*: The Ferry Building; Agriculture Building; Beltline Roundhouse; Fireboat House; Bulkhead Buildings and Connector Buildings at Piers 1-5; and Bulkheads and Pier Sheds at Piers 45 and 48.

2) Retain and develop rehabilitation criteria for other potentially significant Bulkhead and Connector Buildings, protecting them from alterations inconsistent with the *Secretary's Standards* until rehabilitation criteria are adopted.

3) Further evaluate historic Pier Sheds and other potentially significant historic resources, considering historical significance, architectural features, relationship to other historic resources, City pattern, economic development, structural condition, financial feasibility, and compatibility of reuse with maritime activities, views, public access, and other *Waterfront Land Use Plan* goals, to develop recommendations for preservation, reuse and/or replacement.

Within the Pier 70 area. the Port will:

1) Retain and reuse Union Iron Works buildings #101, 102, and 104. The Port will rehabilitate these buildings consistent with the *Secretary's Standards* if feasible.

2) Seek funding for preservation and rehabilitation of Building 113-114.

3) Take steps to stabilize potentially significant historic resources to prevent further deterioration, within the financial means of the Port.

4) Conduct further research of historic resources to analyze the potential for establishing a National Register Historic District, based on periods of historical significance, unique architectural or industrial qualities, associations with historically significant events, and feasibility of adaptive reuse.

N-2 (Modified from the FEIR)

The Port, assisted by a qualified professional, should further define which historical resources are significant and why. The policies in the *Waterfront Design & Access Element* call for two types of "identification" efforts: 1) further evaluation of potentially significant resources to identify significant historic resources, and 2) identification of specific features of historic resources which contribute to their significance. Further identification of significant historic resources could result in applications for local landmark designation, requests for determinations of eligibility for the National Register of Historic Places (National Register) by the State Historic Preservation Officer, or nominations to the National Register. Further identification of character-defining features of individual resources could help to inform the development of rehabilitation criteria. These identification efforts may be broken into reasonable phases. The Port, assisted by a qualified professional, and working with the State Historic Preservation Officer, local preservation organizations, and other waterfront constituencies, will carry out further preservation planning described below.

Within the Fisherman's Wharf to China Basin area, the Port will:

1) Identify the character-defining features of The Ferry Building; Agriculture Building; Beltline Roundhouse; Fireboat House; Bulkhead and Connector Buildings at Piers 1-5; and Bulkheads and Pier Sheds at Piers 45 and 48.

2) Develop criteria for rehabilitation and reuse of other historic Bulkhead and Connector Buildings identified in the *Waterfront Design & Access Element*.

3) Evaluate other historic resources identified in the *Waterfront Design and Access Element*, including the Piers and Pier Sheds at Piers 1, 9, 15, 19, 23, 31, 33, 26, 28, and 38, to develop recommendations for preservation, reuse or replacement.

Within the Pier 70 area, the Port will:

1) Identify the character-defining features of Union Iron Works Buildings No. 101, 102, 104, and 113-114.

2) Further evaluate the significance of resources identified as potentially eligible for listing on the National Register. The evaluation will describe district boundaries, the physical condition of identified buildings, and any qualities that might make some portions of the district (including some buildings) of greater significance than others.

N-3 (Modified from the FEIR)

The Port should develop and adopt standards for changes to historic resources. Historic preservation objectives can be achieved in the context of change and do not require "freezing" buildings and districts in time. For this reason, and because thoughtfully designed changes to significant historic resources would be less likely to have a significant effect on the environment than demolitions or insensitive alterations, the Port will develop and adopt preservation design standards regarding changes to historic resources as identified in the *Design and Access Element*.

The standards will outline the types of changes that would be acceptable for historic resources, and will likely include, but would not necessarily be limited to, one or a combination of the following treatments applied to specified historic resources:

- Retention of historic building fabric and significant architectural features.
- Retention of a building's general form and overall integrity, not just a building's facade.
- General strategies for reusing historic buildings and integrating new uses and development into and around those resources.
- Use of the State Historical Building Code where applicable.

Within the Fisherman's Wharf to China Basin area, the Port will:

1) Rehabilitate and adaptively reuse the following resources consistent with *The Secretary of the Interior's Standards for Rehabilitation of Historic Buildings (Secretary's Standards)*: The Ferry Building; Agriculture Building; Beltline Roundhouse; Fireboat House; Bulkhead Buildings and Connector Buildings at Piers 1-5; and Bulkheads and Pier Sheds at Piers 45 and 48.

2) Retain and develop rehabilitation criteria for other potentially significant Bulkhead and Connector Buildings, as identified in the *Waterfront Design & Access Element,* protecting them from alterations inconsistent with the *Secretary's Standards* until rehabilitation criteria are adopted.

3) Further evaluate historic Pier Sheds and other potentially significant historic resources, as identified in the *Waterfront Design & Access Element,* considering historical significance, architectural features, relationship to other historic resources, City pattern, economic development, structural condition, financial feasibility, and compatibility of reuse with maritime activities, views, public access, and other *Waterfront Land Use Plan* goals, to develop recommendations for preservation, reuse and/or replacement.

Within the Pier 70 area, the Port will prepare rehabilitation criteria for Buildings 101, 102, 104, and 113-114, which will apply the *Secretary's Standards* to the maximum extent feasible.

N-4 (Modified from the FEIR)

The Port will consider historic preservation objectives early in the development of proposed projects, evaluate projects against design standards for changes to historic resources and ensure that project approvals are consistent with adopted standards. Development projects which thoughtfully consider significant and potentially significant historic resources in the context of preservation objectives and standards early in their planning process would be less likely to result in demolition or insensitive alterations. To lessen or avoid significant effects upon historic architectural resources, the Port will give consideration to significant and potentially significant historic architectural resources during Step 2 of the Waterfront Plan Implementation Process (*Waterfront Land Use Plan*, Chapter 5, "Implementation of the Plan"), subject to historic resources policies contained in the *Waterfront Design & Access Element.* In addition, development feasibility, site opportunities and constraints, community and outside agency input and design issues will be analyzed and considered during this step of the implementation process. All approval actions by the Port Commission will include findings regarding a project's consistency with the *Waterfront Land Use Plan*, including the *Design & Access Element* as further amended or appended to include the conclusions of future preservation planning studies.

N-5 (Modified from the FEIR)

To prevent potential deterioration or destruction of historic architectural resources in the absence of specific proposals to restore or rehabilitate them, the Port will prioritize resources in need of repair and maintenance and fund the needed preservation work to the extent that funding is available. Repair and maintenance activities should sustain the existing form, integrity, and materials of an historic resource, and may include treatments such as rust removal, caulking, limited paint removal and reapplication of protective coatings; cyclical cleaning of roof gutter or other drainage systems; installation of fencing, protective plywood, alarm systems or other temporary protective measures; and other stabilization measures. If repair is undertaken, the least

degree of intervention should generally be applied, such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading historical materials such as masonry, wood, and architectural metals according to recognized preservation methods. Repairing may also include limited replacement in kind, or with compatible substitute material, of extensively deteriorated or missing parts of features when there are surviving prototypes (for example, brackets, dentils, steps, plaster, roofing).

Archaeological Resources

O-1a (Modified from the FEIR)

Initial project planning will take identification and protection of potentially significant archaeological resources into account whenever possible. Design modifications will be encouraged that reduce or eliminate excavation in sensitive areas.

O-1b (Modified from the FEIR)

Given the certainty that significant historical archaeological resources do exist in the overall Project Area generally, yet the inherent uncertainty about the specific locations and scope of such buried resources, the Port or project sponsor will retain an archaeologist as early as is practical in the site selection or schematic design stage of development projects under the Plan which will involve sub-surface excavation or other substantial soil disturbance of greater than four feet in depth, excluding submerged lands beneath the Bay. The archaeologist will prepare a brief preliminary site-specific evaluation or letter report, based on existing archival report information, assessing the archaeological sensitivity of the specific site(s) under consideration relative to the scope of excavation proposed. The archaeologist will consider the history of fill soils on the site(s) in his/her assessment of the potential for significant archaeological resources to exist and be disturbed or destroyed by the contemplated project, and make recommendations on subsequent actions designed to ensure the protection of potentially significant resources.

Based on the initial site-specific letter report, the archaeologist and the Environmental Review Officer (ERO) will determine whether a more detailed site assessment is warranted, the results of which could include an appropriate course of action necessary to minimize the disturbance to significant archaeological resources, and/or maximize information recovery where such disturbance cannot be avoided. Depending on the expected sensitivity of the area to be excavated, this could include a program of preconstruction testing, excavation determining monitoring, or both. If the ERO concurs with a preliminary evaluation determining that a project site has no potential to contain significant archaeological resources which would be impacted by a proposed development (which may commonly occur in the areas of recent fill or disturbance, such as most of the waterfront south of China Basin), then this measure will be satisfied and archaeological issues will no longer be a concern for that particular development project.

If, based on the likelihood of encountering significant archaeological resources as identified in the

site assessment report(s), the archaeologist and the ERO determine that pre-construction testing is warranted to better determine the probability of finding cultural remains, the sponsor will retain the services of an archaeologist familiar with prehistoric and urban historical archaeology, and San Francisco specifically. The archaeologist will carry out a pre-excavation testing program using a series of mechanical, exploratory borings or trenches, and/or other testing methods determined by the archaeologist and the ERO to be appropriate. Some efficiency may be possible by coordinating archaeological sampling with soil borings common to geotechnical and hazardous waste testing.

If, after testing, the archaeologist determines that no further investigations or precautions are necessary to safeguard potentially significant archaeological resources, the archaeologist will submit a written report to the ERO, with a copy to the project sponsor. If the archaeologist determines that further investigations or precautions are necessary, he/she will consult with the ERO and they will jointly determine what additional procedures are necessary to minimize potential effects on archaeological resources.

These additional mitigation measures will be implemented by the project sponsor and might included a program of on-site monitoring of all site excavation, during which the archaeologist will record observations in a permanent log. The monitoring program, whether or not there are finds of significance, will result in a written report to be submitted first and directly to the ERO, with a copy to the project sponsor. During the monitoring program, the project sponsor will designate one individual on site as his/her representative. This representative will have the authority to direct and suspend work at the site to give the archaeologist time to investigate and evaluate archaeological resources should they be encountered.

Should evidence of cultural resources of potential significance be found during the monitoring program, the archaeologist will immediately notify the ERO, and the project sponsor will halt any activities which the archaeologist and the ERO jointly determine could damage such cultural resources. Ground-disturbing activities which might damage cultural resources will be suspended for a total maximum of four weeks over the course of construction.

If prehistoric archaeological deposits are fortuitously discovered, the California Native American Heritage Commission in Sacramento and local Native American organizations will be consulted and involved in making resource management decisions. All applicable legal requirements concerning the treatment of cultural materials and Native American burials will be enforced.

After notifying the ERO, the archaeologist will prepare a written report to be submitted within 10 days first and directly to the ERO, with a copy to the project sponsor, which will contain an assessment of the potential significance of the find and recommendations for what measures should be implemented to minimize potential effects on archaeological resources. Based on this report, the ERO will recommend specific additional mitigation measures to be implemented by the project sponsor. These additional mitigation measures might include a site security program, additional on-site investigations by the archaeologist, and/or documentation, preservation, and

recovery of cultural material.

Finally, the archaeologist will prepare a report documenting the cultural resources that were discovered, an evaluation as to their significance, and a description as to how any archaeological testing, exploration, and/or recovery program was conducted.

Copies of all draft reports prepared according to this mitigation measure will be sent first and directly to the ERO for review. Following approval by the ERO, copies of the final report will be sent to the President of the Landmarks Preservation Advisory Board and the Historical Resources Information System Northwest Information Center. The Office of the Environmental Review will receive three copies of the final archaeological report.

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CHAPTER IX

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San Francisco Planning Department
Office of Environmental Review
1660 Mission Street, 5th Floor
San Francisco, California 94103

Attn: Rick Cooper, EIR Coordinator
00.1229E – San Francisco Cruise Terminal Mixed-Use Project and
Brannan Street Wharf Project

PLEASE CUT ALONG DOTTED LINE

RETURN REQUEST REQUIRED FOR FINAL
ENVIRONMENTAL IMPACT REPORT

REQUEST FOR FINAL ENVIRONMENTAL IMPACT REPORT

TO: San Francisco Planning Department,
Office of Environmental Review

Please send me a copy of the Final EIR.

Signed: _____

Print Your Name and Address Below

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